of testing of the internal controls and the results of such testing; and

''(C) a compliance assessment that includes an opinion or a disclaimer of opinion as to whether the Center has complied with the terms and conditions of subsection (b); and

''(2) 'independent auditor' means an independent certified public accountant or independent licensed public accountant, certified or licensed by a regulatory authority of a State or a political subdivision of a State, who meets the standards specified in generally accepted accounting principles.''.

SEC. 9. EXEMPTION FROM AUTOMATIC STAY IN BANKRUPTCY CASES.

Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (27), by striking ''and'' at the end;

(2) in paragraph (28), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (28) the following:

''(29) under subsection (a)(1) of this section, of any action by—

''(A) an amateur sports organization, as defined in section 220501(b) of title 36, to replace a national governing body, as defined in that section, under section 220528 of that title; or

''(B) the corporation, as defined in section 220501(b) of title 36, to revoke the certification of a national governing body, as defined in that section, under section 220521 of that title.''.

SEC. 10. ENHANCED CHILD ABUSE REPORTING.

Section 226(c)(9) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341(c)(9)) is amended—

(1) by striking ''adult who is authorized'' and inserting the following: ''adult who—

''(A) is authorized'';

(2) in subparagraph (A), as so designated, by inserting ''or'' after the semicolon at the end; and

(3) by adding at the end the following:

''(B) is an employee or representative of the United States Center for SafeSport;''.

SEC. 11. COMMISSION ON THE STATE OF U.S. OLYMPICS AND PARALYMPICS.

(a) ESTABLISHMENT.—There is established within the legislative branch a commission, to be known as the ''Commission on the State of U.S. Olympics and Paralympics'' (referred to in this section as the ''Commission'').

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of 16 members, of whom—

(A) 4 members shall be appointed by the chairman of the Committee on Commerce, Science, and Transportation of the Senate;

(B) 4 members shall be appointed by the ranking member of the Committee on Commerce, Science, and Transportation of the Senate;

(C) 4 members shall be appointed by the chairman of the Committee on Energy and Commerce of the House of Representatives; and

(D) 4 members shall be appointed by the ranking member of the Committee on Energy and Commerce of the House of Representatives.

(2) CO-CHAIRS.—Of the members of the Commission—

(A) 1 co-chair shall be designated by the chairman of the Committee on Commerce, Science, and Transportation of the Senate; and

(B) 1 co-chair shall be designated by the chairman of the Committee on Energy and Commerce of the House of Representatives.

(3) QUALIFICATIONS.—

(A) IN GENERAL.—Each member appointed to the Commission shall have the following qualifications:

(i) Experience in 1 or more of the following:

(I) Amateur, Olympic and Paralympic, or professional athletics.

(II) Elite athletic coaching.

(III) Public service relating to sports.

(IV) Professional advocacy for increased minority participation in sports.

(V) Olympic and Paralympic sports administration or professional sports administration.

(ii) Expertise in bullying prevention and the promotion of a healthy organizational culture.

(B) OLYMPIC OR PARALYMPIC ATHLETES.—Not fewer than 8 members appointed under paragraph (1) shall be current or former Olympic or Paralympic athletes.

(c) INITIAL MEETING.—Not later than 30 days after the date on which the last member is appointed under paragraph (1), the Commission shall hold an initial meeting.

(d) QUORUM.—11 members of the Commission shall constitute a quorum.

(e) NO PROXY VOTING.—Proxy voting by members of the Commission shall be prohibited.

(f) STAFF.—The co-chairs of the Commission shall appoint an executive director of the Commission, and such staff as appropriate, with compensation.

(g) PUBLIC HEARINGS.—The Commission shall hold 1 or more public hearings.

(h) TRAVEL EXPENSES.—Members of the Commission shall serve without pay, but shall receive travel expenses in accordance with sections 5702 and 5703 of title 5, United States Code.

(i) DUTIES OF COMMISSION.—

(1) STUDY.—

(A) IN GENERAL.—The Commission shall conduct a study on matters relating to the state of United States participation in the Olympic and Paralympic Games.

(B) MATTERS STUDIED.—The study under subparagraph (A) shall include—

(i) a review of the most recent reforms undertaken by the United States Olympic and Paralympic Committee;

(ii) a description of proposed reforms to the structure of the United States Olympic and Paralympic Committee;

(iii) an assessment as to whether the board of directors of the United States Olympic and Paralympic Committee includes diverse members, including athletes;

(iv) an assessment of United States athlete participation levels in the Olympic and Paralympic Games;

(v) a description of the status of any United States Olympic and Paralympic Committee licensing arrangement;

(vi) an assessment as to whether the United States is achieving the goals for the Olympic and Paralympic Games set by the United States Olympic and Paralympic Committee;

(vii) an analysis of the participation in amateur athletics of—

(I) women;

(II) disabled individuals; and

(III) minorities;

(viii) a description of ongoing efforts by the United States Olympic and Paralympic Committee to recruit the Olympic and Paralympic Games to the United States;

(ix) an evaluation of the functions of the national governing bodies (as defined in section 220501 of title 36, United States Code) and an analysis of the responsiveness of the national governing bodies to athletes with respect to the duties of the national governing bodies under section 220524(a)(3) of title 36, United States Code; and

(x) an assessment of the finances and the financial organization of the United States Olympic and Paralympic Committee.

(2) REPORT.—

(A) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Commission shall submit to Congress a report on the results of the study conducted under paragraph (1), including a detailed statement of findings, conclusions, recommendations, and suggested policy changes.

(B) PUBLIC AVAILABILITY.—The report required by subparagraph (A) shall be made available to the public on an internet website of the United States Government that is available to the public.

(j) POWERS OF COMMISSION.—

(1) SUBPOENA AUTHORITY.—The Commission may subpoena an individual the testimony of whom may be relevant to the purpose of the Commission.

(2) FURNISHING INFORMATION.—On request by the executive director of the Commission, the head of a Federal agency shall furnish information to the Commission.

(k) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report under subsection (i)(2).

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 12. SEVERABILITY.

If any provision of this Act, or an amendment made by this Act, is determined to be unenforceable or invalid, the remaining provisions of this Act and the amendments made by this Act shall not be affected.

TEXT OF AMENDMENTS

SA 2595. Ms. ERNST 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. _____. CALCULATION OF MAXIMUM LOAN AMOUNT FOR FARMERS AND RANCHERS UNDER THE PAYCHECK PROTECTION PROGRAM.

Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended—

(1) in subparagraph (E), in the matter preceding clause (i), by striking ''During'' and inserting ''Except as provided in subparagraph (T), during''; and

(2) by adding at the end the following:

''(T) CALCULATION OF MAXIMUM LOAN AMOUNT FOR FARMERS AND RANCHERS.—

''(i) DEFINITION.—In this subparagraph, the term 'covered recipient' means an eligible recipient that—

''(I) operates as a sole proprietorship or as an independent contractor, or is an eligible self-employed individual;

''(II) reports farm income or expenses on a Schedule F (or any equivalent successor schedule); and

''(III) was in business during the period beginning on February 15, 2019, and ending on June 30, 2019.

''(ii) NO EMPLOYEES.—With respect to covered recipient without employees, the maximum covered loan amount shall be the lesser of—

''(I) the sum of—

''(aa) the product obtained by multiplying—

''(AA) the gross income of the covered recipient in 2019, as reported on a Schedule F (or any equivalent successor schedule), that is not more than $100,000, divided by 12; and

''(BB) 2.5; and

''(bb) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020, and ending on April 3, 2020, that the borrower intends to refinance under the covered loan, not including any amount of any advance under the loan that is not required to be repaid; or

''(II) $2,000,000.

''(iii) WITH EMPLOYEES.—With respect to a covered recipient with employees, the maximum covered loan amount shall be calculated using the formula described in subparagraph (E), except that the gross income of the covered recipient described in clause (ii)(I)(aa)(AA) of this subparagraph, as divided by 12, shall be added to the sum calculated under subparagraph (E)(i)(I).

''(iv) RECALCULATION.—A lender that made a covered loan to a covered recipient before the date of enactment of this subparagraph may, at the request of the covered recipient—

''(I) recalculate the maximum loan amount applicable to that covered loan based on the formula described in clause (ii) or (iii), as applicable, if doing so would result in a larger covered loan amount; and

''(II) provide the covered recipient with additional covered loan amounts based on that recalculation.''.

SA 2596. Mr. MORAN 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. ___. EXTENDED AVAILABILITY FOR CORONAVIRUS RELIEF FUND PAYMENTS USED IN ACCORDANCE WITH A QUALIFYING ECONOMIC DEVELOPMENT PLAN.

Section 601(d) of the Social Security Act (42 U.S.C. 801(d)) is amended to read as follows:

''(d) USE OF FUNDS; AVAILABILITY.—

''(1) IN GENERAL.—A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section to cover only those costs of the State, Tribal government, or unit of local government that—

''(A) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);

''(B) were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and

''(C) subject to paragraph (2), were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

''(2) EXTENDED AVAILABILITY FOR FUNDS USED IN ACCORDANCE WITH A QUALIFYING ECONOMIC DEVELOPMENT PLAN.—

''(A) IN GENERAL.—Notwithstanding subparagraph (C) of paragraph (1), funds provided under a payment made under this section shall remain available to a State, Tribal government, or unit of local government until December 31, 2022, for obligation by the State or government—

''(i) for costs of the State or government that—

''(I) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19); and

''(II) were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and

''(ii) in accordance with a qualifying economic development plan.

''(B) AVAILABILITY.—Any funds obligated under subparagraph (A) as of the date specified in such subparagraph shall remain available until expended.

''(C) CERTIFICATION REQUIREMENT.—In order to use funds provided under a payment under this section in accordance with this paragraph, a State, Tribal government, or unit of local government shall provide the Secretary with a certification signed by the Chief Executive of the State or government that the proposed uses of the funds under the qualifying economic development plan are consistent with the requirements of subparagraph (A)(i).

''(D) QUALIFYING ECONOMIC DEVELOPMENT PLAN.—For purposes of subparagraph (A), the term 'qualifying economic development plan' means, with respect to a State or government, a plan for using funds paid or distributed to the State or government under this section to respond to the COVID–19 public health emergency that is approved by the State or the governing board of a university before December 30, 2020.''.

SA 2597. Mr. SCOTT of South Carolina 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. ____. DIRECT APPROPRIATION TO MBDA.

(a) DEFINITION.—In this section, the term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) APPROPRIATION.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $10,000,000 under the heading ''Department of Commerce—Minority Business Development Agency'' for minority business centers of the Minority Business Development Agency of the Department of Commerce to provide technical assistance to small business concerns.

(c) EMERGENCY DESIGNATION.—

(1) IN GENERAL.—The amounts provided under this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2598. Mr. INHOFE 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. ___. USE OF PPP LOANS FOR SUPPLIER COSTS.

(a) IN GENERAL.—Section 7(a)(36)(F)(i) of the Small Business Act (15 U.S.C. 636(a)(36)(F)(i)) is amended—

(1) in subclause (VI), by striking ''and'' at the end;

(2) in subclause (VII), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(VIII) covered supplier costs, as defined in section 1106(a) of the CARES Act (15 U.S.C. 9005(a)).''.

(b) LOAN FORGIVENESS.—Section 1106 of the CARES Act (15 U.S.C. 9005) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively;

(B) by inserting after paragraph (4) the following:

''(5) the term 'covered supplier cost' means an expenditure made by an entity to a supplier of goods pursuant to a contract in effect before February 15, 2020 for the supply of goods that are essential to the operations of the entity at the time at which the expenditure is made;'';

(C) in paragraph (8), as so redesignated—

(i) in subparagraph (C), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(E) covered supplier costs; and'';

(2) in subsection (b) by adding at the end the following:

''(5) Any covered supplier cost.'';

(3) in subsection (d)(8), by inserting ''any payment on any covered supplier cost,'' after ''rent obligation,''; and

(4) in subsection (e)—

(A) in paragraph (2), by inserting ''payments on covered supplier costs'' after ''lease obligations,''; and

(B) in paragraph (3)(B), by inserting ''make payments on covered supplier costs,'' after ''rent obligation,''.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by section shall be effective as if included in the CARES Act (Public Law 116–136) and shall apply to any loan made pursuant to section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)).

SA 2599. Mr. LEE 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. ___. ELIMINATION OF MAINTENANCE OF EFFORT REQUIREMENTS.

(a) IN GENERAL.—Section 6008 of the Families First Coronavirus Response Act (Public Law 116–127) is amended—

(1) in subsection (b), by striking ''with respect to a quarter'' and all that follows through ''the State does not'' and inserting ''with respect to a quarter, if the State does not''; and

(2) by striking subsection (d).

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall take effect as if included in the enactment of the Families First Coronavirus Response Act (Public Law 116–127).

SA 2600. Mr. LEE 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. ___. STATE VALIDATION AND APPROVAL OF IN VITRO DIAGNOSTIC TESTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, including any provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or section 353 of the Public Health Service Act (42 U.S.C. 263a), a State may validate and approve for use in the State an in vitro diagnostic test (as defined in section 809.3 of title 21, Code of Federal Regulations (or successor regulations)), for use and distribution within the applicable State only, in accordance with such processes and standards as the State may require.

(b) NO REQUIREMENT TO NOTIFY FDA.—The manufacturer of an in vitro diagnostic test validated and approved by a State under subsection (a) shall not be required, with respect to the use of such test in such State, to notify the Food and Drug Administration, receive approval from the Food and Drug Administration, or report results to the Food and Drug Administration.

(c) NO APPLICABILITY OF CLIA REQUIREMENT.—The requirements of section 353 of the Public Health Service Act (42 U.S.C. 263a) shall not apply with respect to a test validated and approved by a State, to the extent such test is used only within that State.

SA 2601. Mr. LEE 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. _____. MAIN STREET LENDING PROGRAM.

(a) IN GENERAL.—Not later than 7 days after the date of enactment of this Act, the Board of Governors of the Federal Reserve System shall make the following changes to the Main Street Lending Program established by the Board of Governors:

(1) Eliminate any minimum loan amount under the Program.

(2) Eliminate any servicing fee imposed on a lender with respect to the initiation or purchase of any loan under the Program.

(3) Provide that—

(A) there shall not be a minimum interest rate for any loan covered under the Program; and

(B) the Board of Governors may establish a maximum interest rate for any loan covered under the Program.

(b) TRANSFER OF APPROPRIATIONS.—

(1) TRANSFER.—Effective on the date that is 7 days after the date of enactment of this Act, and notwithstanding any other provision of law, the Secretary of the Treasury shall transfer to the fund established under section 5302(a)(1) of title 31, United States Code, from the unobligated balances of the amounts made available under section 1107(a)(1) of the CARES Act (15 U.S.C. 9006(a)(1)), the lesser of the amount of such unobligated balances or $6,000,000,000.

(2) CHARACTERISTICS OF TRANSFERRED AMOUNTS.—The amounts transferred under paragraph (1)—

(A) notwithstanding section 5302(a)(1) of title 31, United States Code, shall be available to the Secretary of the Treasury, without further appropriation, to, in accordance with the changes made by subsection (a), make loans, loan guarantees, and other investments under the Main Street Lending Program established by the Board of Governors of the Federal Reserve System; and

(B) shall remain available until January 1, 2026.

SA 2602. Mr. LEE 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. _____. STUDY, REPORT, AND MODELING TOOL RELATING TO THE TAX EQUIVALENT AMOUNT OF PAYMENTS UNDER THE PAYMENT IN LIEU OF TAXES PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) Congress agreed with recommendations of a Federal commission that, if Federal land is to be retained by the Federal Government and not contribute to the tax bases of the local governments within the jurisdictions of which the land is located, compensation should be offered to those local governments to make up for the presence of nontaxable land within the jurisdictions of those local governments;

(2) local governments rely on the stability of property tax revenues, but no precise figure can be given in advance for the authorization level of the payment in lieu of taxes program;

(3) Federal agencies have determined that payments to local governments under the payment in lieu of taxes program are far lower than what would be due to local governments under tax equivalency;

(4) payments under the payment in lieu of taxes program help local governments carry out vital services, such as firefighting, police protection, public education, construction of public schools, construction of roads, and search-and-rescue operations; and

(5) the technology exists to more accurately determine what the taxable value of land held by the Federal Government would be if that land were taxable by local governments.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Federal Government should—

(1) determine the amount that payments under the payment in lieu of taxes program would be if those payments were equivalent to the tax revenues that local governments would otherwise receive for the same land; and

(2) compensate those local governments accordingly.

(c) DEFINITIONS.—In this section:

(1) PAYMENT IN LIEU OF TAXES PROGRAM.—The term ''payment in lieu of taxes program'' means the payment in lieu of taxes program established under chapter 69 of title 31, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) TAX EQUIVALENT AMOUNT.—The term ''tax equivalent amount'', with respect to payments under the payment in lieu of taxes program, means the amount of property tax revenues that would be generated for local governments (including the tax revenues of States, counties, cities, and other taxing jurisdictions, as applicable) for the Federal land eligible for those payments if that land were privately owned.

(d) STUDY, REPORT, AND MODEL ON TAX EQUIVALENT AMOUNT OF PILT PAYMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture and the head of any other Federal agency that the Secretary determines to be appropriate, shall—

(A) conduct a study—

(i) to evaluate all land eligible for payments under the payment in lieu of taxes program as of the date of enactment of this Act;

(ii) to determine the market value of that land in a fair and open market; and

(iii) to determine the tax equivalent amount of payments under the payment in lieu of taxes program for that land;

(B) submit to Congress and make publicly available a report describing—

(i) the results of the study conducted under subparagraph (A); and

(ii) how payments under the payment in lieu of taxes program could more accurately reflect the tax equivalent amount; and

(C) develop a modeling tool that—

(i) accounts for reasonable and customary valuation factors and assumptions; and

(ii) calculates, in a timely manner, for every acre of Federal land eligible for payments under the payment in lieu of taxes program—

(I) the market value of that land; and

(II) the tax equivalent amount of payments under the payment in lieu of taxes program for that land.

(2) REQUIREMENTS.—

(A) STUDY.—In conducting the study under paragraph (1)(A), the Secretary shall consider any studies conducted by States, counties, or other taxing jurisdictions pertaining to the tax equivalent amount of payments under the payment in lieu of taxes program.

(B) MODELING TOOL.—The modeling tool developed under paragraph (1)(C) shall—

(i) accurately calculate, in real time, the market value of every acre of Federal land in the United States;

(ii) enable an employee or agent of the Department of the Interior to manually modify factors relating to the valuation model used by the modeling tool to calculate, in real time, the market value of Federal land based on new assumptions relating to that land;

(iii) provide technical anchors relating to market data—

(I) to ensure the ongoing integrity of the modeling tool; and

(II) to ensure that the land values determined by the modeling tool are defensible and based on sound and generally accepted valuation methodologies;

(iv) assimilate, in a visual interface—

(I) market data, including the availability of mineral extraction, energy production, water management, timber management, agricultural uses, and recreational uses with respect to the applicable land; and

(II) geographic information systems (commonly known as ''GIS'') data relating to all Federal land eligible for payments under the payment in lieu of taxes program;

(v) tie the model used by the tool to market sources, allowing the model to automatically adjust and reflect current market conditions; and

(vi) allow a user of the modeling tool—

(I) to estimate the value of Federal land as that land is currently used; and

(II) to estimate changes in that value due to future uses under various scenarios under private or public ownership.

(3) CONTRACTS AND CONSULTANTS.—The Secretary may contract or consult with any public or private entity to analyze data, conduct research, or develop a model that would contribute to the report and modeling tool developed by the Secretary under this subsection.

SA 2603. Mr. LEE 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:

Beginning on page 2, strike line 13 and all that follows through page 5, line 18, and insert the following:

''(3) AMOUNT OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.—

''(A) IN GENERAL.—The amount specified in this paragraph is the following amount with respect to an individual:

''(i) For weeks of unemployment beginning after the date on which an agreement is entered into under this section and ending on or before July 31, 2020, $600.

''(ii) For weeks of unemployment beginning after the last week under clause (i) and ending before December 31, 2020, an amount equal to one of the following, as determined by the State for all individuals:

''(I) The applicable flat option amount described in subparagraph (D).

''(II) An amount (not to exceed the applicable cap amount described in subparagraph (D)) equal to—

''(aa) two-thirds of the individual's average weekly wages; minus

''(bb) the individual's base amount (determined prior to any reductions or offsets).

''(B) BASE AMOUNT.—For purposes of this paragraph, the term 'base amount' means, with respect to an individual, an amount equal to—

''(i) for weeks of unemployment under the pandemic unemployment assistance program under section 2102, the amount determined under subsection (d)(1)(A)(i) or (d)(2) of such section 2102, as applicable; or

''(ii) for all other weeks of unemployment, the amount determined under paragraph (1)(A) of this subsection.

''(C) AVERAGE WEEKLY WAGES.—

''(i) IN GENERAL.—Subject to clause (ii), for purposes of this paragraph, the term 'average weekly wages' means, with respect to an individual, the following:

''(I) If the State computes the individual weekly unemployment compensation benefit amount based on an individual's average weekly wages in a base period, an amount equal to the individual's average weekly wages used in such computation.

''(II) If the State computes the individual weekly unemployment compensation benefit amount based on high quarter wages or a formula using wages across some but not all quarters in a base period, an amount equal to 1/13 of such high quarter wages or average wages of the applicable quarters used in the computation for the individual.

''(III) If the State uses computations other than the computations under subclause (I) or (II) for the individual weekly unemployment compensation benefit amount, or for computations of the weekly benefit amount under the pandemic unemployment assistance program under section 2102, as described in subsection (d)(1)(A)(i) or (d)(2) of such section 2102, for which subclause (I) or (II) do not apply, an amount equal to 1/52 of the sum of all base period wages.

''(ii) SPECIAL RULE.—If more than one of the methods of computation under subclauses (I), (II), and (III) of clause (i) are applicable to a State, then such term shall mean the amount determined under the applicable subclause of clause (i) that results in the highest amount of average weekly wages.

''(D) APPLICABLE FLAT OPTION AND CAP AMOUNT.—The applicable flat option amount and the applicable cap amount described in this subparagraph is as follows:

''(i) For weeks of unemployment beginning after the last week under subparagraph (A)(i) and ending before August 31, 2020—

''(I) the applicable flat option amount is $200; and

''(II) the applicable cap amount is $500.

''(ii) For weeks of unemployment beginning after the last week under clause (i) and ending on or before September 30, 2020—

''(I) the applicable flat option amount is $150; and

''(II) the applicable cap amount is $400.

''(iii) For weeks of unemployment beginning after the last week under clause (ii) and ending on or before November 1, 2020—

''(I) the applicable flat option amount is $100; and

''(II) the applicable cap amount is $300.

''(iv) For weeks of unemployment beginning after the last week under clause (iii) and ending on or before November 30, 2020—

''(I) the applicable flat option amount is $50; and

''(II) the applicable cap amount is $200.

''(v) For weeks of unemployment beginning after the last week under clause (iv) and ending on or before December 31, 2020—

''(I) the applicable flat option amount is $0; and

''(II) the applicable cap amount is $100.''.

SA 2604. Mr. CORNYN 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. _____. MONETIZATION OF GENERAL BUSINESS CREDITS.

(a) IN GENERAL.—Section 38 of the Internal Revenue Code of 1986 is amended by inserting after subsection (d) the following:

''(e) SPECIAL RULES FOR ELIGIBLE YEARS.—

''(1) IN GENERAL.—If a taxpayer elects the application of this subsection for any eligible taxable year—

''(A) the limitation under subsection (c) shall be increased by an amount equal to the excess (if any) of—

''(i) the credit allowed under subsection (a) for the taxable year (determined without regard to subsection (c)), over

''(ii) the credit allowed under subsection (a) for such taxable year (determined after the application of subsection (c)), and

''(B) the amount of the credit determined under section 41(a) for such taxable year shall be determined without regard to the limitation in the first sentence of section 41(g).

''(2) TREATMENT OF CREDIT.—For purposes of this title (other than this section and section 39), the excess of—

''(A) amount of the credit allowed solely by reason of this subsection, over

''(B) net income tax (as defined in subsection (c)(1)) reduced by credits allowable under subparts D (without regard to this subsection) and G,

shall be treated as an overpayment of tax for the taxable year.

''(3) ELIGIBLE TAXABLE YEAR.—For purposes of this subsection, the term 'eligible taxable year' means any taxable year ending in 2019 or 2020.

''(4) ELECTION.—An election under paragraph (1) shall be made at such time and in such manner as the Secretary may prescribe.

''(5) GUIDANCE AND REGULATIONS.—The Secretary shall prescribe such regulations and guidance as may be necessary to carry out this subsection, including regulations or guidance to prevent any double counting of credits allowable under this section.''.

(b) ALLOWANCE OF REFUNDS.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting ''38(e)'' after ''36B''.

(c) CONFORMING AMENDMENT.—Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended by inserting ''38(e),'' after ''36B,''.

(d) CREDITS NOT SUBJECT TO SEQUESTRATION.—Section 255(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(d)) is amended—

(1) by striking ''Payments'' and inserting the following:

''(1) IN GENERAL.—Payments'', and

(2) by adding at the end the following:

''(2) GENERAL BUSINESS CREDITS.—Payments made under subsection (e) of section 38 of the Internal Revenue Code of 1986 shall be exempt from reduction under any order issued under this part.''.

(e) SPECIAL RULE FOR REFUNDS.—

(1) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, a credit or refund for which an application described in paragraph (2)(A) is filed shall be treated as made under section 6411 of such Code.

(2) TENTATIVE REFUND.—

(A) APPLICATION.—A taxpayer may file an application for a tentative credit or refund of any amount for which a credit or refund for any taxable year is due by reason of section 38(e) of the Internal Revenue Code of 1986. Such application shall be in such manner and form as the Secretary of the Treasury (or the Secretary's delegate) may prescribe and shall—

(i) be verified in the same manner as an application under section 6411(a) of such Code,

(ii) be filed not later than the date that is 120 days after the date of the enactment of this Act, and

(iii) set forth—

(I) the amount of the credit claimed under section 38(e) of such Code for such taxable year, and

(II) the amount of the refund claimed.

(B) ALLOWANCE OF ADJUSTMENTS.—Within a period of 90 days from the date on which an application is filed under subparagraph (A), the Secretary of the Treasury (or the Secretary's delegate) shall—

(i) review the application,

(ii) determine the amount of the overpayment, and

(iii) apply, credit, or refund such overpayment,

in a manner similar to the manner provided in section 6411(b) of the Internal Revenue Code of 1986.

(C) CONSOLIDATED RETURNS.—The provisions of section 6411(c) of the Internal Revenue Code of 1986 shall apply to an adjustment under this paragraph to the same extent and manner as the Secretary of the

Treasury (or the Secretary's delegate) may provide.

(3) APPLICATION FOR ADJUSTMENT OF OVERPAYMENT OF ESTIMATED INCOME TAX.—An application for adjustment of overpayment of estimated income tax under section 6425 of the Internal Revenue Code of 1986 by reason of section 38(e) of such Code shall not fail to be treated as timely filed if filed not later than the date which is 120 days after the date of the enactment of this Act.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2018.

SA 2605. Mr. RUBIO 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. ___. LIMIT ON PPP LOANS TO ENTITIES THAT ARE CONNECTED TO THE PEOPLE'S REPUBLIC OF CHINA.

Section 7(a)(36)(A)(iv) of the Small Business Act (15 U.S.C. 636(a)(36)(A)(iv)) is amended to read as follows:

''(iv) the term 'eligible recipient'—

''(I) means an individual or entity that is eligible to receive a covered loan; and

''(II) does not include any business concern or entity—

''(aa) for which an entity created in or organized under the laws of the People's Republic of China or the Special Administrative Region of Hong Kong, or that has significant operations in the People's Republic of China or the Special Administrative Region of Hong Kong, owns or holds, directly or indirectly, not less than 20 percent of the economic interest of the business concern or entity, including as equity shares or a capital or profit interest in a limited liability company or partnership; or

''(bb) that retains, as a member of the board of directors of the business concern, a person who is a resident of the People's Republic of China;''.

SA 2606. Mrs. LOEFFLER 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. _____. ADDITIONAL ELIGIBLE EXPENSES.

(a) ALLOWABLE USE OF PPP LOAN.—Section 7(a)(36)(F)(i) of the Small Business Act (15 U.S.C. 636(a)(36)(F)(i)) is amended—

(1) in subclause (VI), by striking ''and'' at the end;

(2) in subclause (VII), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(VIII) covered operations expenditures, as defined in section 1106(a) of the CARES Act (15 U.S.C. 9005(a)).''.

(b) LOAN FORGIVENESS.—Section 1106 of the CARES Act (15 U.S.C. 9005) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively;

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

''(3) the term 'covered operations expenditure' means a payment for any business software or cloud computing service that facilitates business operations, product or service delivery, the processing, payment, or tracking of payroll expenses, human resources, sales and billing functions, or accounting or tracking of supplies, inventory, records and expenses;''; and

(C) in paragraph (8), as so redesignated—

(i) in subparagraph (C), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(E) covered operations expenditures; and'';

(2) in subsection (b), by adding at the end the following:

''(5) Any covered operations expenditure.'';

(3) in subsection (d)(8), by inserting ''any payment on any covered operations expenditure,'' after ''rent obligation,''; and

(4) in subsection (e)—

(A) in paragraph (2), by inserting ''payments on covered operations expenditures,'' after ''lease obligations,''; and

(B) in paragraph (3)(B), by inserting ''make payments on covered operations expenditures,'' after ''rent obligation,''.

SA 2607. Ms. ERNST 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. ___. BUSINESSES EMPLOYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS.

(a) IN GENERAL.—Section 7(a)(36)(D)(iii) of the Small Business Act (15 U.S.C. 636(a)(36)(D)(iii) is amended—

(1) by striking ''During'' and inserting the following:

''(I) IN GENERAL.—During''; and

(2) by adding at the end the following:

''(II) BUSINESS CONCERNS EMPLOYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS.—

''(aa) DEFINITION.—In this subclause, the term 'critical infrastructure business concern' means a business concern that—

''(AA) employs 1 or more essential critical infrastructure workers (as defined in guidance from the Secretary of Homeland Security);

''(BB) employs not more than 500 employees per physical location of the business concern; and

''(CC) has operations that, if organized as a separate business entity, would be assigned a North American Industry Classification System code beginning with 72 at the time of the disbursal.

''(bb) ELIGIBILITY.—During the covered period, any critical infrastructure business concern shall be eligible to receive a covered loan.

''(cc) APPLICATION OF LOAN AND FORGIVENESS REQUIREMENTS.—For purposes of determining the loan amount and applying all other requirements and terms under this paragraph or section 1106 of the CARES Act (15 U.S.C. 9005) with respect to a critical infrastructure business concern, the eligible recipient of the covered loan shall be that portion of the critical infrastructure business concern that, if organized as a separate business entity, would be assigned a North American Industry Classification System code beginning with 72.''.

SA 2608. Mr. YOUNG (for himself and Mr. SASSE) 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. ___. IMPROVEMENTS TO STATE UNEMPLOYMENT SYSTEMS AND STRENGTHENING PROGRAM INTEGRITY.

(a) UNEMPLOYMENT COMPENSATION SYSTEMS.—

(1) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)) is amended—

(A) in the matter preceding paragraph (1), by striking ''provision for—'' and inserting ''provision for each of the following:'';

(B) at the end of each of paragraphs (1) through (10) and paragraph (11)(B), by striking ''; and'' and inserting a period; and

(C) by adding at the end the following new paragraph:

''(13) The State system shall, in addition to meeting the requirements under section 1137, meet the following requirements:

''(A) The system shall be capable of handling a surge of claims that would represent a twentyfold increase in claims from January 2020 levels, occurring over a one-month period.

''(B) The system shall be capable of—

''(i) adjusting wage replacement levels for individuals receiving unemployment compensation;

''(ii) adjusting weekly earnings disregards, including the ability to adjust such disregards in relation to an individual's earnings or weekly benefit amount; and

''(iii) providing for wage replacement levels that vary based on the duration of benefit receipt.

''(C) The system shall have in place an automated process for receiving and processing claims for disaster unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a)), with flexibility to adapt rules regarding individuals eligible for assistance and the amount payable.

''(D) In the case of a State that makes payments of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986), the system shall have in place an automated process of receiving and processing claims for short-time compensation.

''(E) The system shall have in place an automated process for receiving and processing claims for—

''(i) unemployment compensation for Federal civilian employees under subchapter I of chapter 85 of title 5, United States Code;

''(ii) unemployment compensation for exservicemembers under subchapter II of chapter 85 of title 5, United States Code; and

''(iii) trade readjustment allowances under sections 231 through 233 of the Trade Act of 1974 (19 U.S.C. 2291–2293).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to weeks of unemployment beginning on or after the earlier of—

(A) the date the State changes its statutes, regulations, or policies in order to comply with such amendment; or

(B) October 1, 2023.

(b) ELECTRONIC TRANSMISSION OF UNEMPLOYMENT COMPENSATION INFORMATION.—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following new subsection:

''(n) ELECTRONIC TRANSMISSION OF UNEMPLOYMENT COMPENSATION INFORMATION.—

''(1) IN GENERAL.—Not later than October 1, 2022, the State agency charged with administration of the State law shall use a system developed (in consultation with stakeholders) and designated by the Secretary of Labor for automated electronic transmission of requests for information relating to unemployment compensation and the provision of such information between such agency and employers or their agents.

''(2) USE OF APPROPRIATED FUNDS.—The Secretary of Labor may use funds appropriated for grants to States under this title to make payments on behalf of States as the Secretary determines is appropriate for the use of the system described in paragraph (1).

''(3) EMPLOYER PARTICIPATION.— The Secretary of Labor shall work with the State agency charged with administration of the State law to increase the number of employers using this system and to resolve any technical challenges with the system.

''(4) REPORTS ON USE OF ELECTRONIC SYSTEM.—After the end of each fiscal year, on a date determined by the Secretary, each State shall report to the Secretary information on—

''(A) the proportion of employers using the designated system described in paragraph (1);

''(B) the reasons employers are not using such system; and

''(C) the efforts the State is undertaking to increase employer's use of such system.

''(5) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until the Secretary of Labor is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, such Secretary shall make no future certification to the Secretary of the Treasury with respect to the State.''.

(c) UNEMPLOYMENT COMPENSATION INTEGRITY DATA HUB.—

(1) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(14) The State agency charged with administration of the State law shall use the system designated by the Secretary of Labor for cross-matching claimants of unemployment compensation under State law against any databases in the system to prevent and detect fraud and improper payments.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to weeks of unemployment beginning on or after the earlier of—

(A) the date the State changes its statutes, regulations, or policies in order to comply with such amendment; or

(B) October 1, 2022.

(d) REDUCING STATE BURDEN IN PROVIDING DATA TO PREVENT AND DETECT FRAUD.—Section 303 of the Social Security Act (42 U.S.C. 503), as amended by subsection (b), is amended by adding at the end the following new subsection:

''(o) USE OF UNEMPLOYMENT CLAIMS DATA TO PREVENT AND DETECT FRAUD.—The Inspector General of the Department of Labor shall, for the purpose of identifying and investigating fraud in unemployment compensation programs, have direct access to each of the following systems:

''(1) The system designated by the Secretary of Labor for the electronic transmission of requests for information relating to interstate claims for unemployment compensation.

''(2) The system designated by the Secretary of Labor for cross-matching claimants of unemployment compensation under State law against databases to prevent and detect fraud and improper payments (as referred to in subsection (a)(14).''.

(e) USE OF NATIONAL DIRECTORY OF NEW HIRES IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS AND PENALTIES ON NONCOMPLYING EMPLOYERS.—

(1) IN GENERAL.—Section 303 of the Social Security Act (42 U.S.C. 503), as amended by subsections (b) and (d), is amended by adding at the end the following new subsection:

''(p) USE OF NATIONAL DIRECTORY OF NEW HIRES.—

''(1) IN GENERAL.—Not later than October 1, 2022, the State agency charged with administration of the State law shall—

''(A) compare information in the National Directory of New Hires established under section 453(i) against information about individuals claiming unemployment compensation to identify any such individuals who may have become employed, in accordance with any regulations or guidance that the Secretary of Health and Human Services may issue and consistent with the computer matching provisions of the Privacy Act of 1974;

''(B) take timely action to verify whether the individuals identified pursuant to subparagraph (A) are employed; and

''(C) upon verification pursuant to subparagraph (B), take appropriate action to suspend or modify unemployment compensation payments, and to initiate recovery of any improper unemployment compensation payments that have been made.

''(2) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until the Secretary of Labor is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, such Secretary shall make no future certification to the Secretary of the Treasury with respect to the State.''.

(2) PENALTIES.—

(A) IN GENERAL.—Section 453A(d) of the Social Security Act (42 U.S.C. 653a(d)), in the matter preceding paragraph (1), is amended by striking ''have the option to set a State civil money penalty which shall not exceed'' and inserting ''set a State civil money penalty which shall be no less than''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall apply to penalties assessed on or after October 1, 2022.

(f) STATE PERFORMANCE.—

(1) IN GENERAL.—Section 303 of the Social Security Act (42 U.S.C. 503), as amended by subsections (b), (d), and (e), is amended by adding at the end the following new subsection:

''(q) STATE PERFORMANCE.—

''(1) IN GENERAL.—For purposes of assisting States in meeting the requirements of this title, title IX, title XII, or chapter 23 of the Internal Revenue Code of 1986 (commonly referred to as 'the Federal Unemployment Tax Act'), the Secretary of Labor may—

''(A) consistent with subsection (a)(1), establish measures of State performance, including criteria for acceptable levels of performance, performance goals, and performance measurement programs;

''(B) consistent with subsection (a)(6), require States to provide to the Secretary of Labor data or other relevant information from time to time concerning the operations of the State or State performance, including the measures, criteria, goals, or programs established under paragraph (1);

''(C) require States with sustained failure to meet acceptable levels of performance or with performance that is substantially below acceptable standards, as determined based on the measures, criteria, goals, or programs established under subparagraph (A), to implement specific corrective actions and use specified amounts of the administrative grants under this title provided to such States to improve performance; and

''(D) based on the data and other information provided under subparagraph (B)—

''(i) to the extent the Secretary of Labor determines funds are available after providing grants to States under this title for the administration of State laws, recognize and make awards to States for performance improvement, or performance exceeding the criteria or meeting the goals established under subparagraph (A); or

''(ii) to the extent the Secretary of Labor determines funds are available after providing grants to States under this title for the administration of State laws, provide incentive funds to high-performing States based on the measures, criteria, goals, or programs established under subparagraph (A).

''(2) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until the Secretary of Labor is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, such Secretary shall make no future certification to the Secretary of the Treasury with respect to the State.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act.

(g) FUNDING.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary of Labor $2,000,000,000 to assist States in carrying out the amendments made by this section, which may include regional or multi-State efforts. Amounts appropriated under the preceding sentence shall remain available until expended.

SA 2609. Mrs. GILLIBRAND 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. ___. DIRECT FARM LOAN FORGIVENESS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE BORROWER.—The term ''eligible borrower'' means a borrower of an eligible loan that is actively engaged in farming (within the meaning of section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1)) with respect to a farming operation—

(A) for which the eligible loan was made; and

(B) the average annual adjusted gross income for the previous 5-year period of which is not more than $300,000.

(2) ELIGIBLE LOAN.—The term ''eligible loan'' means a loan made before March 19, 2020, that is—

(A) a direct farm ownership loan under subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.);

(B) a direct operating loan under subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.); or

(C) an emergency loan under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) LOAN FORGIVENESS.—

(1) IN GENERAL.—Not later than 1 year after the date on which the Secretary receives an application under paragraph (2), subject to paragraphs (3) and (4), the Secretary shall cancel the obligation to repay the balance of principal and interest due as of the date of enactment of this Act on an eligible loan for the eligible borrower.

(2) APPLICATIONS.—To be eligible for cancellation under paragraph (1), not later than 1 year after the date of enactment of this Act, an eligible borrower shall submit to the Secretary an application, which shall cover all eligible loans for which the eligible borrower is seeking cancellation.

(3) LIMITATIONS.—The total amount cancelled under paragraph (1) with respect to a farming operation shall be not more than $250,000.

(4) CONDITION.—The cancellation of an obligation under paragraph (1) shall be subject to the condition that the applicable eligible borrower shall continue to be actively engaged in farming (within the meaning of section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1)) for the 2-year period beginning on the date on which the Secretary cancels the obligation under that paragraph.

(c) EFFECT.—An eligible borrower that receives cancellation of an obligation with respect to an eligible loan under subsection (b)(1) shall not be determined to be ineligible for any loan under subtitle A, B, or C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.) because of that cancellation.

(d) TAXABILITY.—For purposes of the Internal Revenue Code of 1986, any amount which (but for this subsection) would be includible in gross income of the eligible borrower by reason of forgiveness described in subsection (b) shall be excluded from gross income.

SA 2610. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) 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. _____. INCREASED ABILITY FOR PAYCHECK PROTECTION PROGRAM BORROWERS TO REQUEST AN INCREASE IN LOAN AMOUNT DUE TO UPDATED REGULATIONS.

(a) DEFINITIONS.—In this section—

(1) the term ''Administration'' means the Small Business Administration; and

(2) the terms ''covered loan'' and ''eligible recipient'' have the meanings given those terms in section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)).

(b) INCREASED AMOUNT.—Notwithstanding the interim final rule issued by the Administration entitled ''Business Loan Program Temporary Changes; Paycheck Protection Program—Loan Increases'' (85 Fed. Reg. 29842 (May 19, 2020)), an eligible recipient of a covered loan that is eligible for an increased covered loan amount as a result of any interim final rule that allows for covered loan increases may submit a request for an increase in the covered loan amount even if—

(1) the initial covered loan amount has been fully disbursed; or

(2) the lender of the initial covered loan has submitted to the Administration a Form 1502 report related to the covered loan.

SA 2611. Mr. WICKER submitted an amendment intended to be proposed by him 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. ___. INCLUSION OF CRITICAL CARE HOSPITALS IN THE PAYCHECK PROTECTION PROGRAM.

(a) ELIGIBILITY OF HOSPITALS WITH MORE THAN ONE PHYSICAL LOCATION.—Section 7(a)(36)(D)(iii) of the Small Business Act (15 U.S.C. 636(a)(36)(D)(iii)) is amended by striking ''beginning with 72'' and inserting the following: ''beginning with 72 (or, in the case of a critical care hospital, is assigned a North American Industry Classification System code beginning with 62)''.

(b) WAIVER OF AFFILIATION RULES.—Section 7(a)(36)(D)(iv)(I) of the Small Business Act (15 U.S.C. 636(a)(36)(D)(iv)(I)) is amended by striking ''beginning with 72'' and inserting the following: ''beginning with 72 (or, in the case of a critical care hospital, is assigned a North American Industry Classification System code beginning with 62)''.

(c) CRITICAL CARE HOSPITALS DEFINED.—Section 7(a)(36)(D) of the Small Business Act (15 U.S.C. 636(a)(36)(D)) is amended by adding at the end the following:

''(vii) CRITICAL CARE HOSPITAL DEFINED.—In this subparagraph, the term 'critical care hospital' means—

''(I) a hospital (as defined in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e))) that—

''(aa) is located in a county (or equivalent unit of local government) in a rural area, as defined in section 1886(d)(2)(D) of such Act (42 U.S.C. 1395ww(d)(2)(D));

''(bb) is treated as being located in a rural area pursuant to section 1886(d)(8)(E) of such Act (42 U.S.C. 1395ww(d)(8)(E)); or

''(cc) for the most recent cost reporting period under section 1886(d) of such Act (42 U.S.C. 1395ww(d)), received an additional payment under section 1886(d)(5)(F) of such Act (42 U.S.C. 1395ww(d)(5)(F)); and

''(II) a nonprofit or public critical access hospital, as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1)).''.

SA 2612. Mr. WICKER 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. ___. INCLUSION OF CRITICAL CARE HOSPITALS IN THE PAYCHECK PROTECTION PROGRAM.

(a) ELIGIBILITY OF HOSPITALS WITH MORE THAN ONE PHYSICAL LOCATION.—Section 7(a)(36)(D)(iii) of the Small Business Act (15 U.S.C. 636(a)(36)(D)(iii)) is amended by striking ''beginning with 72'' and inserting the following: ''beginning with 72 (or, in the case of a critical care hospital, is assigned a North American Industry Classification System code beginning with 62)''.

(b) WAIVER OF AFFILIATION RULES.—Section 7(a)(36)(D)(iv)(I) of the Small Business Act (15 U.S.C. 636(a)(36)(D)(iv)(I)) is amended by striking ''beginning with 72'' and inserting the following: ''beginning with 72 (or, in the case of a critical care hospital, is assigned a North American Industry Classification System code beginning with 62)''.

(c) CRITICAL CARE HOSPITALS DEFINED.—Section 7(a)(36)(D) of the Small Business Act (15 U.S.C. 636(a)(36)(D)) is amended by adding at the end the following:

''(vii) CRITICAL CARE HOSPITAL DEFINED.—In this subparagraph, the term 'critical care hospital' means—

''(I) a hospital (as defined in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e))) that—

''(aa) is located in a county (or equivalent unit of local government) in a rural area, as defined in section 1886(d)(2)(D) of such Act (42 U.S.C. 1395ww(d)(2)(D));

''(bb) is treated as being located in a rural area pursuant to section 1886(d)(8)(E) of such Act (42 U.S.C. 1395ww(d)(8)(E)); or

''(cc) for the most recent cost reporting period under section 1886(d) of such Act (42 U.S.C. 1395ww(d)), received an additional payment under section 1886(d)(5)(F) of such Act (42 U.S.C. 1395ww(d)(5)(F)); and

''(II) a nonprofit or public critical access hospital, as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1)).''.

SA 2613. Mr. ENZI (for himself and Ms. HASSAN) 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. ___. AUTHORITY TO DESTROY COUNTERFEIT DEVICES.

(a) IN GENERAL.—Section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amended—

(1) in the fourth sentence, by inserting ''or counterfeit device'' after ''counterfeit drug''; and

(2) by striking ''The Secretary of the Treasury shall cause the destruction of'' and all that follows through ''liable for costs pursuant to subsection (c).'' and inserting the

following: ''The Secretary of the Treasury shall cause the destruction of any such article refused admission unless such article is exported, under regulations prescribed by the Secretary of the Treasury, within 90 days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations, except that the Secretary of Health and Human Services may destroy, without the opportunity for export, any drug or device refused admission under this section, if such drug or device is valued at an amount that is $2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation pursuant to section 498(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1498(a)(1))) and was not brought into compliance as described under subsection (b). The Secretary of Health and Human Services shall issue regulations providing for notice and an opportunity to appear before the Secretary of Health and Human Services and introduce testimony, as described in the first sentence of this subsection, on destruction of a drug or device under the seventh sentence of this subsection. The regulations shall provide that prior to destruction, appropriate due process is available to the owner or consignee seeking to challenge the decision to destroy the drug or device. Where the Secretary of Health and Human Services provides notice and an opportunity to appear and introduce testimony on the destruction of a drug or device, the Secretary of Health and Human Services shall store and, as applicable, dispose of the drug or device after the issuance of the notice, except that the owner and consignee shall remain liable for costs pursuant to subsection (c).''.

(b) DEFINITION.—Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amended—

(1) by redesignating subparagraphs (1), (2), and (3) as clauses (A), (B), and (C), respectively; and

(2) after making such redesignations—

(A) by striking ''(h) The term'' and inserting ''(h)(1) The term''; and

(B) by adding at the end the following:

''(2) The term 'counterfeit device' means a device which, or the container, packaging, or labeling of which, without authorization, bears a trademark, trade name, or other identifying mark, imprint, or symbol, or any likeness thereof, or is manufactured using a design, of a device manufacturer, packer, or distributor other than the person or persons who in fact manufactured, packed, or distributed such device and which thereby falsely purports or is represented to be the product of, or to have been packed or distributed by, such other device manufacturer, packer, or distributor.

''(3) For purposes of subparagraph (2)—

''(A) the term 'manufactured' refers to any of the following activities: manufacture, preparation, propagation, compounding, assembly, or processing; and

''(B) the term 'manufacturer' means a person who is engaged in any of the activities listed in clause (A).''.

SA 2614. Mr. BRAUN (for himself, Mr. GRASSLEY, and Mr. ENZI) 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. ___. PRICE TRANSPARENCY REQUIREMENTS.

(a) HOSPITALS.—Section 2718(e) of the Public Health Service Act (42 U.S.C. § 300gg–18(e)) is amended—

(1) by striking ''Each hospital'' and inserting the following:

''(1) IN GENERAL.—Each hospital'';

(2) by inserting '', in a machine-readable format, via open application program interfaces (APIs)'' after ''a list'';

(3) by inserting '', along with such additional information as the Secretary may require with respect to such charges for purposes of promoting public awareness of hospital pricing in advance of receiving a hospital item or service'' before the period; and

(4) by adding at the end the following:

''(2) DEFINITION OF STANDARD CHARGES.—Notwithstanding any other provision of law, for purposes of paragraph (1), the term 'standard charges' means the rates hospitals, including providers or entities that contract with or practice at a hospital, charge for all items and services at a minimum, chargemaster rates, rates that hospitals negotiate with third party payers across all plans, including those related to a patient's specific plan, discounted cash prices, and other rates determined by the Secretary.

''(3) ENFORCEMENT.—In addition to any other enforcement actions or penalties that may apply under subsection (b)(3) or another provision of law, a hospital that fails to provide the information required by this subsection and has not completed a corrective action plan to comply with the requirements of such subsection shall be subject to a civil monetary penalty of an amount not to exceed $300 per day that the violation is ongoing as determined by the Secretary. Such penalty shall be imposed and collected in the same manner as civil money penalties under subsection (a) of section 1128A of the Social Security Act are imposed and collected.''.

(b) TRANSPARENCY IN COVERAGE.—Section 1311(e)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(e)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (vii), by inserting before the period the following: '', including, for all items and services covered under the plan, aggregate information on specific payments the plan has made to out-of-network health care providers on behalf of plan enrollees''; and

(B) by designating clause (ix) as clause (x); and

(C) by inserting after clause (viii), the following:

''(ix) Information on the specific negotiated payment rates between the plan and health care providers for all items and services covered under the plan.'';

(2) in subparagraph (B)—

(A) in the heading, by striking ''USE'' and inserting ''DELIVERY METHODS AND USE'';

(B) by inserting '', as applicable,'' after ''English proficiency''; and

(C) by inserting after the second sentence, the following: ''The Secretary shall establish standards for electronic delivery and access to such information by individuals, free of charge, in machine readable format, through an internet website and via open APIs.'';

(3) in subparagraph (C)—

(A) in the first sentence, by inserting ''or out-of-network provider'' after ''item or service by a participating provider'';

(B) in the second sentence, by striking ''through an internet website'' and inserting ''free of charge, in machine readable format, through an internet website, and via open APIs, in accordance with standards established by the Secretary,''; and

(C) by adding at the end the following: ''Such information shall include specific negotiated rates that allow for comparison between providers and across plans, and related to a patient's specific plan, including after an enrollee has exceeded their deductible responsibility.''; and

(4) in subparagraph (D) by striking ''subparagraph (A)'' and inserting ''subparagraphs (A), (B), and (C)''.

SA 2615. Mr. ENZI 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. ___. IMPROVEMENTS TO THE MEDICARE HOSPITAL ACCELERATED AND ADVANCE PAYMENTS PROGRAMS DURING THE COVID–19 PUBLIC HEALTH EMERGENCY.

(a) PART A.—

(1) REPAYMENT PERIODS.—Section 1815(f)(2)(C) of the Social Security Act (42 U.S.C. 1395g(f)(2)(C)) is amended—

(A) in clause (i), by striking ''120 days'' and inserting ''270 days''; and

(B) in clause (ii), by striking ''12 months'' and inserting ''18 months''.

(2) AUTHORITY FOR DISCRETION.—Section 1815(f)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395g(f)(2)(A)(ii)) is amended by inserting ''(or, with respect to requests submitted to the Secretary on or after July 9, 2020, may)''after ''shall.''.

(b) PART B.—In carrying out the advance payments program described in section 421.214 of title 42, Code of Federal Regulations (or a successor regulation), the Secretary of Health and Human Services, in the case of a payment made under such program during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), upon request of the supplier receiving such payment, shall—

(1) provide up to 270 days before claims are offset to recoup the payment; and

(2) allow not less than 14 months from the date of the first advance payment before requiring that the outstanding balance be paid in full.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(d) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, and the amendments made by, this section by program instruction or otherwise.

(e) EMERGENCY DESIGNATION.—

(1) IN GENERAL.—The amounts provided by this section and the amendments made by this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, this section and the amendments made by this section are designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2616. Mr. WICKER (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. PERDUE, Mr. BOOZMAN, Mr. MORAN, and

Ms. MURKOWSKI) submitted an amendment intended to be proposed by him 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. _____. REINSTATEMENT OF ADVANCE REFUNDING BONDS.

(a) IN GENERAL.—The amendments made by section 13532 of Public Law 115-97 are repealed and the provisions of law amended by such section are restored as if such section had never been enacted.

(b) EFFECTIVE DATE.—The repeal made by this section shall take effect on the date of enactment of this Act.

SA 2617. Mr. WICKER 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. _____. CREDIT FOR AMERICAN INFRASTRUCTURE BONDS ALLOWED TO ISSUERS.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by inserting after section 6430 the following new section:

''SEC. 6431. CREDIT TO ISSUER OF AMERICAN INFRASTRUCTURE BONDS.

''(a) IN GENERAL.—The issuer of an American infrastructure bond shall be allowed a credit with respect to each interest payment under such bond which shall be payable by the Secretary as provided in subsection (b).

''(b) PAYMENT OF CREDIT.—

''(1) IN GENERAL.—The Secretary shall pay (contemporaneously with each interest payment date under such bond) to the issuer of such bond (or to any person who makes such interest payments on behalf of the issuer) the applicable percentage of the interest payable under such bond on such date.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage shall be equal to—

''(A) in the case of any American infrastructure bond issued before January 1, 2026, 35 percent, and

''(B) in the case of any American infrastructure bond issued after December 31, 2025, 28 percent.

''(3) INTEREST PAYMENT DATE.—For purposes of this subsection, the term 'interest payment date' means each date on which the holder of record of the American infrastructure bond is entitled to a payment of interest under such bond.

''(c) AMERICAN INFRASTRUCTURE BOND.—

''(1) IN GENERAL.—For purposes of this section, the term 'American infrastructure bond' means any obligation if—

''(A) the interest on such obligation would (but for this section) be excludable from gross income under section 103,

''(B) either—

''(i) the obligation is not a private activity bond, or

''(ii) the obligation is a private activity bond, but it is issued as part of an issue 95 percent or more of the net proceeds of which are to be used to finance or refinance property that meets the ownership test in section 145(a)(1), as applied by substituting '95 percent of the property' for 'all property', and

''(C) the issuer makes an irrevocable election to have this section apply.

''(2) APPLICABLE RULES.—For purposes of applying paragraph (1)—

''(A) for purposes of section 149(b), a bond shall not be treated as federally guaranteed by reason of the credit allowed under this section, and

''(B) a bond shall not be treated as an American infrastructure bond if the issue price has more than a de minimis amount (determined under rules similar to the rules of section 1273(a)(3)) of premium over the stated principal amount of the bond.

''(d) SPECIAL RULES.—

''(1) INTEREST ON AMERICAN INFRASTRUCTURE BONDS INCLUDIBLE IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES.—For purposes of this title, interest on any American infrastructure bond shall be includible in gross income.

''(2) APPLICATION OF ARBITRAGE RULES.—For purposes of section 148, the yield on an issue of American infrastructure bonds shall be reduced by the credit allowed under this section, except that no such reduction shall apply with respect to determining the amount of gross proceeds of an issue that qualifies as a reasonably required reserve or replacement fund.

''(e) REGULATIONS.—The Secretary may prescribe such regulations and other guidance as may be necessary or appropriate to carry out this section.''.

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter B of chapter 65 of subtitle F of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 6431. Credit to issuer of american infrastructure bonds.''.

(2) Subparagraph (A) of section 6211(b)(4) of such Code is amended by inserting ''6431,'' after ''36B,''.

(c) TRANSITIONAL COORDINATION WITH STATE LAW.—Except as otherwise provided by a State after the date of the enactment of this Act, the interest on any American infrastructure bond (as defined in section 6431 of the Internal Revenue Code of 1986 (as added by this Act)) and the amount of any credit determined under such section with respect to such bond shall be treated for purposes of the income tax laws of such State as being exempt from Federal income tax.

(d) ADJUSTMENT TO PAYMENT TO ISSUERS IN CASE OF SEQUESTRATION.—

(1) IN GENERAL.—In the case of any payment under subsection (b) of section 6431 of the Internal Revenue Code of 1986 (as added by this Act) made after the date of enactment of this Act to which sequestration applies, the amount of such payment shall be increased to an amount equal to—

(A) such payment (determined before such sequestration), multiplied by

(B) the quotient obtained by dividing the number 1 by the amount by which the number 1 exceeds the percentage reduction in such payment pursuant to such sequestration.

(2) SEQUESTRATION.—For purposes of this subsection, the term ''sequestration'' means any reduction in direct spending ordered in accordance with a sequestration report prepared by the Director of the Office and Management and Budget pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or the Statutory Pay-As-You-Go Act of 2010 or future legislation having similar effect.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of enactment of this Act.

SA 2618. Mr. WICKER (for himself, Mr. CASSIDY, Mr. SULLIVAN, Ms. CANTWELL, and Ms. MURKOWSKI) 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:

TITLE ____FISHERY RESOURCE DISASTER RELIEF

SEC. _____. SHORT TITLE.

This title may be cited as the ''Fishery Failures: Urgently Needed Disaster Declarations Act''.

SEC. _____. FISHERY RESOURCE DISASTER RELIEF.

Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) is amended to read as follows:

''(a) FISHERY RESOURCE DISASTER RELIEF.—

''(1) DEFINITIONS.—In this subsection:

''(A) ALLOWABLE CAUSE.—The term 'allowable cause' means a natural cause, discrete anthropogenic cause, or undetermined cause.

''(B) ANTHROPOGENIC CAUSE.—The term 'anthropogenic cause' means an anthropogenic event, such as an oil spill or spillway opening—

''(i) that could not have been addressed or prevented by fishery management measures; and

''(ii) that is otherwise beyond the control of fishery managers to mitigate through conservation and management measures, including regulatory restrictions imposed as a result of judicial action or to protect human health or marine animals, plants, or habitats.

''(C) FISHERY RESOURCE DISASTER.—The term 'fishery resource disaster' means a disaster that is determined by the Secretary in accordance with this subsection and—

''(i) is an unexpected decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear for a substantial period of time and results in significant revenue or subsistence loss due to an allowable cause; and

''(ii) does not include—

''(I) reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance; or

''(II) reductions in fishing opportunities resulting from conservation and management measures taken pursuant to this Act.

''(D) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130), and the term 'Tribal' means of or pertaining to such an Indian tribe.

''(E) NATURAL CAUSE.—The term 'natural cause'—

''(i) means a weather, climatic, hazard, or biology-related event, such as—

''(I) a hurricane;

''(II) a flood;

''(III) a harmful algal bloom;

''(IV) a tsunami;

''(V) a hypoxic zone;

''(VI) a drought;

''(VII) El Niño effects on water temperature;

''(VIII) a marine heat wave;

''(IX) disease; or

''(X) access to fishery resources that is impeded due to impacts to captains and crew caused by the COVID-19 pandemic; and

''(ii) does not mean a normal or cyclical variation in a species distribution or stock abundance.

''(F) 12-MONTH REVENUE LOSS.—The term '12-month revenue loss' means the percentage reduction in commercial, charter, headboat, and processor revenue for the 12 months during the fishery resource disaster period that is due to the fishery resource disaster, when compared to average annual revenue in the most recent 5-year period or equivalent for stocks with cyclical life histories.

''(G) UNDETERMINED CAUSE.—The term 'undetermined cause' means a cause in which the current state of knowledge does not allow the Secretary to identify the exact cause, and there is no current conclusive evidence supporting a possible cause of the fishery resource disaster.

''(2) GENERAL AUTHORITY.—

''(A) IN GENERAL.—The Secretary shall have the authority to determine the existence, extent, and beginning and end dates of a fishery resource disaster under this subsection in accordance with this subsection.

''(B) AVAILABILITY OF FUNDS.—After the Secretary determines that a fishery resource disaster has occurred, the Secretary is authorized to make sums available, from funds appropriated under paragraph (9) that are available, to be used by the affected State, Tribal government, or interstate marine fisheries commission, or by the Secretary in cooperation with the affected State, Tribal government, or interstate marine fisheries commission.

''(C) SAVINGS CLAUSE.—

''(i) IN GENERAL.—Except as provided under clause (ii), the requirements under this subsection shall take effect only with respect to requests for a fishery resource disaster determination submitted after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act.

''(ii) EXCEPTION.—Clause (i) shall not apply to a fishery resource disaster determination related to the COVID-19 pandemic.

''(3) INITIATION OF A FISHERY RESOURCE DISASTER REVIEW.—

''(A) ELIGIBLE REQUESTERS.—Not later than 1 year after the date of the conclusion of the fishing season, a request for a fishery resource disaster determination may be submitted to the Secretary, if the Secretary has not independently determined that a fishery resource disaster has occurred, by—

''(i) the Governor of an affected State;

''(ii) an official Tribal resolution; or

''(iii) any other comparable elected or politically appointed representative as determined by the Secretary.

''(B) REQUIRED INFORMATION.—A complete request for a fishery resource disaster determination under subparagraph (A) shall include—

''(i) identification of all presumed affected fish stocks;

''(ii) identification of the fishery as Federal, non-Federal, or both;

''(iii) the geographical boundaries of the fishery;

''(iv) preliminary information on causes of the fishery resource disaster, if known; and

''(v) information needed to support a finding of a fishery resource disaster, including—

''(I) information demonstrating the occurrence of an unexpected decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which could include the loss of fishing vessels and gear, for a substantial period of time;

''(II) 12-month revenue loss or subsistence loss for the affected Federal fishery, or if a fishery resource disaster has occurred at any time in the previous 5-year period, an appropriate time frame as determined by the Secretary;

''(III) if applicable, information on lost resource tax revenues assessed by local communities, such as a raw fish tax; and

''(IV) if applicable, information on 12-month revenue loss for processors related to the information provided under subclause (I), subject to section 402(b).

''(C) ASSISTANCE.—The Secretary may provide assistance, data, and analysis to an eligible requester described in paragraph (1), if so requested and the data is not available to the requester, in carrying out the compete request under subparagraph (A).

''(4) REVIEW PROCESS.—

''(A) INTERIM RESPONSE.—Not later than 20 days after receipt of a request under paragraph (3), the Secretary shall provide an interim response to the individual that—

''(i) acknowledges receipt of the request;

''(ii) provides a regional contact within the National Oceanographic and Atmospheric Administration;

''(iii) outlines the process and timeline by which a request shall be considered; and

''(iv) requests additional information concerning the fishery resource disaster, if the original request is considered incomplete.

''(B) EVALUATION OF REQUESTS.—

''(i) IN GENERAL.—The Secretary shall complete a review, within the time frame described in clause (ii), using the best scientific information available, in consultation with the affected fishing communities, States, or Tribes, of—

''(I) the information provided by the requester and any additional information relevant to the fishery, which may include—

''(aa) fishery characteristics;

''(bb) stock assessments;

''(cc) the most recent fishery independent surveys and other fishery resource assessments and surveys conducted by Federal, State, or Tribal officials;

''(dd) estimates of mortality; and

''(ee) overall effects; and

''(II) the available economic information, which may include an analysis of—

''(aa) landings data;

''(bb) revenue;

''(cc) the number of participants involved;

''(dd) the number and type of jobs and persons impacted, which may include—

''(AA) fishers;

''(BB) charter fishing operators;

''(CC) subsistence users;

''(DD) United States fish processors; and

''(EE) an owner of a related fishery infrastructure or business affected by the disaster, such as a marina operator, recreational fishing equipment retailer, or charter, headboat, or tender vessel owner, operator, or crew;

''(ee) an impacted Indian Tribe;

''(ff) an impacted business or other entity;

''(gg) the availability of hazard insurance to address financial losses due to a disaster;

''(hh) other forms of disaster assistance made available to the fishery, including prior awards of disaster assistance for the same event;

''(ii) the length of time the resource, or access to the resource, has been restricted;

''(jj) status of recovery from previous fishery resource disasters;

''(kk) lost resource tax revenues assessed by local communities, such as a raw fish tax; and

''(ll) other appropriate indicators to an affected fishery, as determined by the National Marine Fisheries Service.

''(ii) TIME FRAME.—The Secretary shall complete the review described in clause (i), if the fishing season, applicable to the fishery—

''(I) has concluded or there is no defined fishing season applicable to the fishery, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination;

''(II) has not concluded, not later than 120 days after the conclusion of the fishing season; or

''(III) has not been opened, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination.

''(C) FISHERY RESOURCE DISASTER DETERMINATION.—The Secretary shall make the determination of a fishery resource disaster based on the criteria for determinations listed in paragraph (5).

''(D) NOTIFICATION.—Not later than 14 days after the conclusion of the review under this paragraph, the Secretary shall notify the requestor and the Governor of the affected State or Tribal representative of the determination of the Secretary.

''(5) CRITERIA FOR DETERMINATIONS.—

''(A) IN GENERAL.—The Secretary shall make a determination about whether a fishery resource disaster has occurred, based on the revenue loss thresholds under subparagraph (B), and, if a fishery resource disaster has occurred, whether the fishery resource disaster was due to—

''(i) a natural cause;

''(ii) an anthropogenic cause;

''(iii) a combination of a natural cause and an anthropogenic cause; or

''(iv) an undetermined cause.

''(B) REVENUE LOSS THRESHOLDS.—

''(i) IN GENERAL.—The Secretary shall apply the following 12-month revenue loss thresholds in determining whether a fishery resource disaster has occurred:

''(I) Losses greater than 80 percent shall result in a positive determination that a fishery resource disaster has occurred.

''(II) Losses between 35 percent and 80 percent shall be evaluated to determine whether a fishery resource disaster has occurred, based on the information provided or analyzed under paragraph (4)(B).

''(III) Losses less than 35 percent shall not be eligible for a determination that a fishery resource disaster has occurred, except where the Secretary determines there are extenuating circumstances that justify using a lower threshold in making the determination.

''(ii) CHARTER FISHING.—In making a determination of whether a fishery resource disaster has occurred, the Secretary shall consider the economic impacts to the charter fishing industry to ensure financial coverage for charter fishing businesses.

''(iii) SUBSISTENCE USES.—In making a determination of whether a fishery resource disaster has occurred, the Secretary may consider loss of subsistence opportunity, where appropriate.

''(C) INELIGIBLE FISHERIES.—A fishery subject to overfishing in any of the 3 years preceding the date of a determination under this subsection is not eligible for a determination of whether a fishery resource disaster has occurred unless the Secretary determines that overfishing was not a contributing factor to the fishery resource disaster.

''(D) EXCEPTIONAL CIRCUMSTANCES.—In an exceptional circumstance where substantial economic impacts to the affected fishery and fishing community have been subject to a disaster declaration under another statutory authority, such as in the case of a natural disaster or from the direct consequences of a Federal action taken to prevent, or in response to, a natural disaster for purposes of protecting life and safety, the Secretary may

determine a fishery resource disaster has occurred without a request or without conducting the required analyses in subparagraphs (A) and (B).

''(6) DISBURSAL OF APPROPRIATED FUNDS.—

''(A) AUTHORIZATION.—The Secretary shall allocate funds available under paragraph (9) for fishery resource disasters.

''(B) ALLOCATION OF APPROPRIATED FISHERY RESOURCE DISASTER ASSISTANCE.—

''(i) NOTIFICATION OF FUNDING AVAILABILITY.—When there are appropriated funds for 1 or more fishery resource disasters, the Secretary shall notify the public and representatives of affected fishing communities with a positive disaster determination that is unfunded of the allocation under paragraph (2)(B) not more than 14 days after the date of the appropriation or the determination of a fishery resource disaster, whichever occurs later.

''(ii) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under clause (i) by 90 days to evaluate and make determinations on eligible requests.

''(C) CONSIDERATIONS.—In determining the allocation of appropriations for a fishery resource disaster, the Secretary shall consider commercial, charter, headboat, or seafood processing revenue losses and may consider the following factors:

''(i) Direct economic impacts.

''(ii) Uninsured losses.

''(iii) Losses of subsistence and Tribal ceremonial fishing opportunity.

''(iv) Losses of recreational fishing opportunity.

''(v) Aquaculture operations revenue loss.

''(vi) Direct revenue losses to a fishing community.

''(vii) Treaty obligations.

''(viii) Other economic impacts.

''(D) SPEND PLANS.—To receive an allocation from funds available under paragraph (9), a requestor with an affirmative fishery resource disaster determination shall submit a spend plan to the Secretary, not more than 120 days after receiving notification that funds are available, that shall include the following information, if applicable:

''(i) Objectives and outcomes, with an emphasis on addressing the factors contributing to the fishery resource disaster and minimizing future uninsured losses, if applicable.

''(ii) Statement of work.

''(iii) Budget details.

''(E) REGIONAL CONTACT.—The Secretary shall provide a regional contact within the National Oceanic and Atmospheric Administration to facilitate review of spend plans and disbursal of funds.

''(F) DISBURSAL OF FUNDS.—

''(i) AVAILABILITY.—Funds shall be disbursed not later than 90 days after the date the Secretary receives a complete spend plan under subparagraph (D).

''(ii) METHOD.—The Secretary may provide an allocation of funds under this subsection in the form of a grant, direct payment, cooperative agreement, loan, or contract.

''(iii) ELIGIBLE USES.—

''(I) IN GENERAL.—Funds allocated for fishery resources disasters under this subsection shall prioritize the following uses, which are not in order of priority:

''(aa) Habitat conservation and restoration and other activities, including scientific research, that reduce adverse impacts to the fishery or improve understanding of the affected species or its ecosystem.

''(bb) The collection of fishery information and other activities that improve management of the affected fishery.

''(cc) In a commercial fishery, capacity reduction and other activities that improve management of fishing effort, including funds to offset budgetary costs to refinance a Federal fishing capacity reduction loan or to repay the principal of a Federal fishing capacity reduction loan.

''(dd) Developing, repairing, or improving fishery-related public infrastructure.

''(ee) Job training and economic transition programs.

''(ff) Public information campaigns on the recovery of the fishery, including marketing.

''(gg) For any purpose that the Secretary determines is appropriate to restore the fishery affected by such a disaster or to prevent a similar disaster in the future.

''(hh) Direct assistance to a person, fishing community (including assistance for lost fisheries resource levies), or a business to alleviate economic loss incurred as a direct result of a fishery resource disaster, particularly when affected by a circumstance described in paragraph (5)(D).

''(ii) Appropriate economic and other incentives to encourage commercial fisherman to return to the fishery once it has recovered from the disaster.

''(jj) Hatcheries and stock enhancement to help rebuild the affected stock or offset fishing pressure on the affected stock.

''(kk) Other activities that recover or improve management of the affected fishery, as determined by the Secretary.

''(II) DISPLACED FISHERY EMPLOYEES.—Where appropriate, individuals carrying out the activities described in items (aa) through (ff) of subclause (I) shall be individuals who are, or were, employed in a commercial, charter, or Tribal fishery for which the Secretary has determined that a fishery resource disaster has occurred.

''(7) LIMITATIONS.—

''(A) FEDERAL SHARE.—

''(i) IN GENERAL.—Except as applied to Tribes and as provided in clauses (ii) and (iii), the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

''(ii) WAIVER.—The Secretary may waive the non-Federal share requirements of this subsection, if the Secretary determines that—

''(I) no reasonable means are available through which the recipient of the Federal share can meet the non-Federal share requirement; and

''(II) the probable benefit of 100 percent Federal financing outweighs the public interest in imposition of the non-Federal share requirement.

''(iii) EXCEPTION.—The Federal share of direct assistance as described in paragraph (6)(F)(iii)(I)(hh) shall be equal to 100 percent.

''(B) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—

''(i) FEDERAL.—Not more than 3 percent of the funds available under this subsection may be used for administrative expenses by the National Oceanographic and Atmospheric Administration.

''(ii) STATE OR TRIBAL GOVERNMENTS.—Of the funds remaining after the use described in clause (i), not more than 5 percent may be used by States, Tribal governments, or interstate marine fisheries commissions for administrative expenses.

''(C) FISHING CAPACITY REDUCTION PROGRAM.—

''(i) IN GENERAL.—No funds available under this subsection may be used as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place in such fishery.

''(ii) ASSISTANCE CONDITIONS.—As a condition of providing assistance under this subsection with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

''(I) prohibit the vessel from being used for fishing; and

''(II) require that the vessel be—

''(aa) scrapped or otherwise disposed of in a manner approved by the Secretary;

''(bb) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training; or

''(cc) used for another non-fishing purpose provided the Secretary determines that adequate measures are in place to ensure that the vessel cannot reenter any fishery anywhere in the world.

''(D) NO FISHERY ENDORSEMENT.—

''(i) IN GENERAL.—A vessel that is prohibited from fishing under subparagraph (C)(ii)(I) shall not be eligible for a fishery endorsement under section 12113(a) of title 46, United States Code.

''(ii) NONEFFECTIVE.—A fishery endorsement for a vessel described in clause (i) shall not be effective.

''(iii) NO SALE.—A vessel described in clause (i) shall not sold to a foreign owner or reflagged.

''(8) PUBLIC INFORMATION ON DATA COLLECTION.—The Secretary shall make available and update as appropriate, information on data collection and submittal best practices for the information described in paragraph (4)(B).

''(9) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary.

''(B) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall remain available until expended.

''(C) TAX EXEMPT STATUS.—The Fisheries Disasters Fund appropriated under this subsection shall be a tax exempt fund.''.

SEC. _____. MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

(a) REPEAL.—Section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1864) is repealed.

(b) REPORT.—Section 113(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 460ss note) is amended—

(1) in the paragraph heading, by striking ''ANNUAL REPORT'' and inserting ''REPORT'';

(2) in the matter preceding subparagraph (A), by striking ''Not later than 2 years after the date of enactment of this Act, and annually thereafter'' and inserting ''Not later than 2 years after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act, and biennially thereafter''; and

(3) in subparagraph (D), by striking ''the calendar year 2003'' and inserting ''the most recent''.

SEC. _____. INTERJURISDICTIONAL FISHERIES ACT OF 1986.

(a) REPEAL.—Section 308 of the Interjurisdictional Fisheries Act of 1986 (16. U.S.C. 4107) is repealed.

(b) TECHNICAL EDIT.—Section 3(k)(1) of the Small Business Act (15 U.S.C. 632(k)(1)) is amended by striking ''(as determined by the Secretary of Commerce under section 308(b) of the Interjurisdictional Fisheries Act of 1986)'' and inserting ''(as determined by the Secretary of Commerce under the Fishery Failures: Urgently Needed Disaster Declarations Act)''.

SEC. _____. BUDGET REQUESTS; REPORTS.

(a) BUDGET REQUEST.—In the budget justification materials submitted to Congress in support of the budget of the Department of Commerce for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Commerce shall include a separate statement of the amount requested to be appropriated for that fiscal year for outstanding unfunded fishery resource disasters.

(b) DRIFTNET ACT AMENDMENTS OF 1990 REPORT AND BYCATCH REDUCTION AGREEMENTS.—

(1) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(A) in section 202(h), by striking paragraph (3); and

(B) in section 206—

(i) by striking subsections (e) and (f); and

(ii) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(2) BIENNIAL REPORT ON INTERNATIONAL COMPLIANCE.—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended—

(A) by inserting ''(a) IN GENERAL.—'' before ''The Secretary'' and indenting appropriately; and

(B) by adding at the end the following:

''(b) ADDITIONAL INFORMATION.—In addition to the information described in paragraphs (1) through (5) of subsection (a), the report shall include—

''(1) a description of the actions taken to carry out the provisions of section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826), including—

''(A) an evaluation of the progress of those efforts, the impacts on living marine resources, including available observer data, and specific plans for further action;

''(B) a list and description of any new fisheries developed by nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation; and

''(C) a list of the nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation in a manner that diminishes the effectiveness of or is inconsistent with any international agreement governing large-scale driftnet fishing to which the United States is a party or otherwise subscribes; and

''(2) a description of the actions taken to carry out the provisions of section 202(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1822(h)).

''(c) CERTIFICATION.—If, at any time, the Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, identifies any nation that warrants inclusion in the list described under subsection (b)(1)(C), due to large scale drift net fishing, the Secretary shall certify that fact to the President. Such certification shall be deemed to be a certification for the purposes of section 8(a) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)).''.

(c) REPORT ON EFFORTS TO PREPARE AND ADAPT UNITED STATES FISHERY MANAGEMENT FOR THE IMPACTS OF CLIMATE CHANGE.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Comptroller General of the United States shall submit a report to Congress examining efforts by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to prepare and adapt to the impacts of climate change.

(2) CONTENTS OF STUDY.—The report required under paragraph (1) shall include—

(A) an examination of current or previous efforts (including the 2016 GAO Report on Federal Fisheries Management), and whether those efforts have resulted in changes to management, by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to prepare and adapt Federal and jointly managed fisheries for the impacts of climate change;

(B) an examination of any guidance issued to the Regional Fishery Management Councils by the National Marine Fisheries Service to prepare and adapt Federal fishery management for the impacts of climate change and whether and how that guidance has been utilized;

(C) identification of and recommendations for how best to address the most significant economic, social, ecological, or other knowledge gaps, as well as key funding gaps, that would increase the ability of the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, or the National Marine Fisheries Service to prepare and adapt fishery management for the impacts of climate change;

(D) recommendations for how the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service can better adapt fishery management and prepare associated fishing industries and dependent communities for the impacts of climate change; and

(E) recommendations for how to enhance the capacity of the National Marine Fisheries Service to monitor climate-related changes to fisheries and marine ecosystems, to understand the mechanisms of change, to evaluate risks and priorities, to provide forecasts and projections of future conditions, to communicate scientific advice, and to better manage fisheries under changing conditions due to climate change.

SA 2619. Mr. WICKER (for himself, Mr. CASSIDY, Mr. SULLIVAN, Ms. CANTWELL, and Ms. MURKOWSKI) 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:

TITLE ___FISHERY RESOURCE DISASTER RELIEF

SEC. ____. SHORT TITLE.

This title may be cited as the ''Fishery Failures: Urgently Needed Disaster Declarations Act''.

SEC. ____. FISHERY RESOURCE DISASTER RELIEF.

Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) is amended to read as follows:

''(a) FISHERY RESOURCE DISASTER RELIEF.—

''(1) DEFINITIONS.—In this subsection:

''(A) ALLOWABLE CAUSE.—The term 'allowable cause' means a natural cause, discrete anthropogenic cause, or undetermined cause.

''(B) ANTHROPOGENIC CAUSE.—The term 'anthropogenic cause' means an anthropogenic event, such as an oil spill or spillway opening—

''(i) that could not have been addressed or prevented by fishery management measures; and

''(ii) that is otherwise beyond the control of fishery managers to mitigate through conservation and management measures, including regulatory restrictions imposed as a result of judicial action or to protect human health or marine animals, plants, or habitats.

''(C) FISHERY RESOURCE DISASTER.—The term 'fishery resource disaster' means a disaster that is determined by the Secretary in accordance with this subsection and—

''(i) is an unexpected decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear for a substantial period of time and results in significant revenue or subsistence loss due to an allowable cause; and

''(ii) does not include—

''(I) reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance; or

''(II) reductions in fishing opportunities resulting from conservation and management measures taken pursuant to this Act.

''(D) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130), and the term 'Tribal' means of or pertaining to such an Indian tribe.

''(E) NATURAL CAUSE.—The term 'natural cause'—

''(i) means a weather, climatic, hazard, or biology-related event, such as—

''(I) a hurricane;

''(II) a flood;

''(III) a harmful algal bloom;

''(IV) a tsunami;

''(V) a hypoxic zone;

''(VI) a drought;

''(VII) El Niño effects on water temperature;

''(VIII) a marine heat wave;

''(IX) disease; or

''(X) access to fishery resources that is impeded due to impacts to captains and crew caused by the COVID-19 pandemic; and

''(ii) does not mean a normal or cyclical variation in a species distribution or stock abundance.

''(F) 12-MONTH REVENUE LOSS.—The term '12-month revenue loss' means the percentage reduction in commercial, charter, headboat, and processor revenue for the 12 months during the fishery resource disaster period that is due to the fishery resource disaster, when compared to average annual revenue in the most recent 5-year period or equivalent for stocks with cyclical life histories.

''(G) UNDETERMINED CAUSE.—The term 'undetermined cause' means a cause in which the current state of knowledge does not allow the Secretary to identify the exact cause, and there is no current conclusive evidence supporting a possible cause of the fishery resource disaster.

''(2) GENERAL AUTHORITY.—

''(A) IN GENERAL.—The Secretary shall have the authority to determine the existence, extent, and beginning and end dates of a fishery resource disaster under this subsection in accordance with this subsection.

''(B) AVAILABILITY OF FUNDS.—After the Secretary determines that a fishery resource disaster has occurred, the Secretary is authorized to make sums available, from funds appropriated under paragraph (9) that are available, to be used by the affected State, Tribal government, or interstate marine fisheries commission, or by the Secretary in cooperation with the affected State, Tribal government, or interstate marine fisheries commission.

''(C) SAVINGS CLAUSE.—

''(i) IN GENERAL.—Except as provided under clause (ii), the requirements under this subsection shall take effect only with respect to requests for a fishery resource disaster determination submitted after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act.

''(ii) EXCEPTION.—Clause (i) shall not apply to a fishery resource disaster determination related to the COVID-19 pandemic.

''(3) INITIATION OF A FISHERY RESOURCE DISASTER REVIEW.—

''(A) ELIGIBLE REQUESTERS.—Not later than 1 year after the date of the conclusion of the

fishing season, a request for a fishery resource disaster determination may be submitted to the Secretary, if the Secretary has not independently determined that a fishery resource disaster has occurred, by—

''(i) the Governor of an affected State;

''(ii) an official Tribal resolution; or

''(iii) any other comparable elected or politically appointed representative as determined by the Secretary.

''(B) REQUIRED INFORMATION.—A complete request for a fishery resource disaster determination under subparagraph (A) shall include—

''(i) identification of all presumed affected fish stocks;

''(ii) identification of the fishery as Federal, non-Federal, or both;

''(iii) the geographical boundaries of the fishery;

''(iv) preliminary information on causes of the fishery resource disaster, if known; and

''(v) information needed to support a finding of a fishery resource disaster, including—

''(I) information demonstrating the occurrence of an unexpected decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which could include the loss of fishing vessels and gear, for a substantial period of time;

''(II) 12-month revenue loss or subsistence loss for the affected Federal fishery, or if a fishery resource disaster has occurred at any time in the previous 5-year period, an appropriate time frame as determined by the Secretary;

''(III) if applicable, information on lost resource tax revenues assessed by local communities, such as a raw fish tax; and

''(IV) if applicable, information on 12-month revenue loss for processors related to the information provided under subclause (I), subject to section 402(b).

''(C) ASSISTANCE.—The Secretary may provide assistance, data, and analysis to an eligible requester described in paragraph (1), if so requested and the data is not available to the requester, in carrying out the compete request under subparagraph (A).

''(4) REVIEW PROCESS.—

''(A) INTERIM RESPONSE.—Not later than 20 days after receipt of a request under paragraph (3), the Secretary shall provide an interim response to the individual that—

''(i) acknowledges receipt of the request;

''(ii) provides a regional contact within the National Oceanographic and Atmospheric Administration;

''(iii) outlines the process and timeline by which a request shall be considered; and

''(iv) requests additional information concerning the fishery resource disaster, if the original request is considered incomplete.

''(B) EVALUATION OF REQUESTS.—

''(i) IN GENERAL.—The Secretary shall complete a review, within the time frame described in clause (ii), using the best scientific information available, in consultation with the affected fishing communities, States, or Tribes, of—

''(I) the information provided by the requester and any additional information relevant to the fishery, which may include—

''(aa) fishery characteristics;

''(bb) stock assessments;

''(cc) the most recent fishery independent surveys and other fishery resource assessments and surveys conducted by Federal, State, or Tribal officials;

''(dd) estimates of mortality; and

''(ee) overall effects; and

''(II) the available economic information, which may include an analysis of—

''(aa) landings data;

''(bb) revenue;

''(cc) the number of participants involved;

''(dd) the number and type of jobs and persons impacted, which may include—

''(AA) fishers;

''(BB) charter fishing operators;

''(CC) subsistence users;

''(DD) United States fish processors; and

''(EE) an owner of a related fishery infrastructure or business affected by the disaster, such as a marina operator, recreational fishing equipment retailer, or charter, headboat, or tender vessel owner, operator, or crew;

''(ee) an impacted Indian Tribe;

''(ff) an impacted business or other entity;

''(gg) the availability of hazard insurance to address financial losses due to a disaster;

''(hh) other forms of disaster assistance made available to the fishery, including prior awards of disaster assistance for the same event;

''(ii) the length of time the resource, or access to the resource, has been restricted;

''(jj) status of recovery from previous fishery resource disasters;

''(kk) lost resource tax revenues assessed by local communities, such as a raw fish tax; and

''(ll) other appropriate indicators to an affected fishery, as determined by the National Marine Fisheries Service.

''(ii) TIME FRAME.—The Secretary shall complete the review described in clause (i), if the fishing season, applicable to the fishery—

''(I) has concluded or there is no defined fishing season applicable to the fishery, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination;

''(II) has not concluded, not later than 120 days after the conclusion of the fishing season; or

''(III) has not been opened, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination.

''(C) FISHERY RESOURCE DISASTER DETERMINATION.—The Secretary shall make the determination of a fishery resource disaster based on the criteria for determinations listed in paragraph (5).

''(D) NOTIFICATION.—Not later than 14 days after the conclusion of the review under this paragraph, the Secretary shall notify the requestor and the Governor of the affected State or Tribal representative of the determination of the Secretary.

''(5) CRITERIA FOR DETERMINATIONS.—

''(A) IN GENERAL.—The Secretary shall make a determination about whether a fishery resource disaster has occurred, based on the revenue loss thresholds under subparagraph (B), and, if a fishery resource disaster has occurred, whether the fishery resource disaster was due to—

''(i) a natural cause;

''(ii) an anthropogenic cause;

''(iii) a combination of a natural cause and an anthropogenic cause; or

''(iv) an undetermined cause.

''(B) REVENUE LOSS THRESHOLDS.—

''(i) IN GENERAL.—The Secretary shall apply the following 12-month revenue loss thresholds in determining whether a fishery resource disaster has occurred:

''(I) Losses greater than 80 percent shall result in a positive determination that a fishery resource disaster has occurred.

''(II) Losses between 35 percent and 80 percent shall be evaluated to determine whether a fishery resource disaster has occurred, based on the information provided or analyzed under paragraph (4)(B).

''(III) Losses less than 35 percent shall not be eligible for a determination that a fishery resource disaster has occurred, except where the Secretary determines there are extenuating circumstances that justify using a lower threshold in making the determination.

''(ii) CHARTER FISHING.—In making a determination of whether a fishery resource disaster has occurred, the Secretary shall consider the economic impacts to the charter fishing industry to ensure financial coverage for charter fishing businesses.

''(iii) SUBSISTENCE USES.—In making a determination of whether a fishery resource disaster has occurred, the Secretary may consider loss of subsistence opportunity, where appropriate.

''(C) INELIGIBLE FISHERIES.—A fishery subject to overfishing in any of the 3 years preceding the date of a determination under this subsection is not eligible for a determination of whether a fishery resource disaster has occurred unless the Secretary determines that overfishing was not a contributing factor to the fishery resource disaster.

''(D) EXCEPTIONAL CIRCUMSTANCES.—In an exceptional circumstance where substantial economic impacts to the affected fishery and fishing community have been subject to a disaster declaration under another statutory authority, such as in the case of a natural disaster or from the direct consequences of a Federal action taken to prevent, or in response to, a natural disaster for purposes of protecting life and safety, the Secretary may determine a fishery resource disaster has occurred without a request or without conducting the required analyses in subparagraphs (A) and (B).

''(6) DISBURSAL OF APPROPRIATED FUNDS.—

''(A) AUTHORIZATION.—The Secretary shall allocate funds available under paragraph (9) for fishery resource disasters.

''(B) ALLOCATION OF APPROPRIATED FISHERY RESOURCE DISASTER ASSISTANCE.—

''(i) NOTIFICATION OF FUNDING AVAILABILITY.—When there are appropriated funds for 1 or more fishery resource disasters, the Secretary shall notify the public and representatives of affected fishing communities with a positive disaster determination that is unfunded of the allocation under paragraph (2)(B) not more than 14 days after the date of the appropriation or the determination of a fishery resource disaster, whichever occurs later.

''(ii) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under clause (i) by 90 days to evaluate and make determinations on eligible requests.

''(C) CONSIDERATIONS.—In determining the allocation of appropriations for a fishery resource disaster, the Secretary shall consider commercial, charter, headboat, or seafood processing revenue losses and may consider the following factors:

''(i) Direct economic impacts.

''(ii) Uninsured losses.

''(iii) Losses of subsistence and Tribal ceremonial fishing opportunity.

''(iv) Losses of recreational fishing opportunity.

''(v) Aquaculture operations revenue loss.

''(vi) Direct revenue losses to a fishing community.

''(vii) Treaty obligations.

''(viii) Other economic impacts.

''(D) SPEND PLANS.—To receive an allocation from funds available under paragraph (9), a requestor with an affirmative fishery resource disaster determination shall submit a spend plan to the Secretary, not more than 120 days after receiving notification that funds are available, that shall include the following information, if applicable:

''(i) Objectives and outcomes, with an emphasis on addressing the factors contributing to the fishery resource disaster and minimizing future uninsured losses, if applicable.

''(ii) Statement of work.

''(iii) Budget details.

''(E) REGIONAL CONTACT.—The Secretary shall provide a regional contact within the National Oceanic and Atmospheric Administration to facilitate review of spend plans and disbursal of funds.

''(F) DISBURSAL OF FUNDS.—

''(i) AVAILABILITY.—Funds shall be disbursed not later than 90 days after the date the Secretary receives a complete spend plan under subparagraph (D).

''(ii) METHOD.—The Secretary may provide an allocation of funds under this subsection in the form of a grant, direct payment, cooperative agreement, loan, or contract.

''(iii) ELIGIBLE USES.—

''(I) IN GENERAL.—Funds allocated for fishery resources disasters under this subsection shall prioritize the following uses, which are not in order of priority:

''(aa) Habitat conservation and restoration and other activities, including scientific research, that reduce adverse impacts to the fishery or improve understanding of the affected species or its ecosystem.

''(bb) The collection of fishery information and other activities that improve management of the affected fishery.

''(cc) In a commercial fishery, capacity reduction and other activities that improve management of fishing effort, including funds to offset budgetary costs to refinance a Federal fishing capacity reduction loan or to repay the principal of a Federal fishing capacity reduction loan.

''(dd) Developing, repairing, or improving fishery-related public infrastructure.

''(ee) Job training and economic transition programs.

''(ff) Public information campaigns on the recovery of the fishery, including marketing.

''(gg) For any purpose that the Secretary determines is appropriate to restore the fishery affected by such a disaster or to prevent a similar disaster in the future.

''(hh) Direct assistance to a person, fishing community (including assistance for lost fisheries resource levies), or a business to alleviate economic loss incurred as a direct result of a fishery resource disaster, particularly when affected by a circumstance described in paragraph (5)(D).

''(ii) Appropriate economic and other incentives to encourage commercial fisherman to return to the fishery once it has recovered from the disaster.

''(jj) Hatcheries and stock enhancement to help rebuild the affected stock or offset fishing pressure on the affected stock.

''(kk) Other activities that recover or improve management of the affected fishery, as determined by the Secretary.

''(II) DISPLACED FISHERY EMPLOYEES.—Where appropriate, individuals carrying out the activities described in items (aa) through (ff) of subclause (I) shall be individuals who are, or were, employed in a commercial, charter, or Tribal fishery for which the Secretary has determined that a fishery resource disaster has occurred.

''(7) LIMITATIONS.—

''(A) FEDERAL SHARE.—

''(i) IN GENERAL.—Except as applied to Tribes and as provided in clauses (ii) and (iii), the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

''(ii) WAIVER.—The Secretary may waive the non-Federal share requirements of this subsection, if the Secretary determines that—

''(I) no reasonable means are available through which the recipient of the Federal share can meet the non-Federal share requirement; and

''(II) the probable benefit of 100 percent Federal financing outweighs the public interest in imposition of the non-Federal share requirement.

''(iii) EXCEPTION.—The Federal share of direct assistance as described in paragraph (6)(F)(iii)(I)(hh) shall be equal to 100 percent.

''(B) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—

''(i) FEDERAL.—Not more than 3 percent of the funds available under this subsection may be used for administrative expenses by the National Oceanographic and Atmospheric Administration.

''(ii) STATE OR TRIBAL GOVERNMENTS.—Of the funds remaining after the use described in clause (i), not more than 5 percent may be used by States, Tribal governments, or interstate marine fisheries commissions for administrative expenses.

''(C) FISHING CAPACITY REDUCTION PROGRAM.—

''(i) IN GENERAL.—No funds available under this subsection may be used as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place in such fishery.

''(ii) ASSISTANCE CONDITIONS.—As a condition of providing assistance under this subsection with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

''(I) prohibit the vessel from being used for fishing; and

''(II) require that the vessel be—

''(aa) scrapped or otherwise disposed of in a manner approved by the Secretary;

''(bb) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training; or

''(cc) used for another non-fishing purpose provided the Secretary determines that adequate measures are in place to ensure that the vessel cannot reenter any fishery anywhere in the world.

''(D) NO FISHERY ENDORSEMENT.—

''(i) IN GENERAL.—A vessel that is prohibited from fishing under subparagraph (C)(ii)(I) shall not be eligible for a fishery endorsement under section 12113(a) of title 46, United States Code.

''(ii) NONEFFECTIVE.—A fishery endorsement for a vessel described in clause (i) shall not be effective.

''(iii) NO SALE.—A vessel described in clause (i) shall not sold to a foreign owner or reflagged.

''(8) PUBLIC INFORMATION ON DATA COLLECTION.—The Secretary shall make available and update as appropriate, information on data collection and submittal best practices for the information described in paragraph (4)(B).

''(9) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary.

''(B) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall remain available until expended.

''(C) TAX EXEMPT STATUS.—The Fisheries Disasters Fund appropriated under this subsection shall be a tax exempt fund.''.

SEC. _____. MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

(a) REPEAL.—Section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1864) is repealed.

(b) REPORT.—Section 113(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 460ss note) is amended—

(1) in the paragraph heading, by striking ''ANNUAL REPORT'' and inserting ''REPORT'';

(2) in the matter preceding subparagraph (A), by striking ''Not later than 2 years after the date of enactment of this Act, and annually thereafter'' and inserting ''Not later than 2 years after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act, and biennially thereafter''; and

(3) in subparagraph (D), by striking ''the calendar year 2003'' and inserting ''the most recent''.

SEC. _____. INTERJURISDICTIONAL FISHERIES ACT OF 1986.

(a) REPEAL.—Section 308 of the Interjurisdictional Fisheries Act of 1986 (16. U.S.C. 4107) is repealed.

(b) TECHNICAL EDIT.—Section 3(k)(1) of the Small Business Act (15 U.S.C. 632(k)(1)) is amended by striking ''(as determined by the Secretary of Commerce under section 308(b) of the Interjurisdictional Fisheries Act of 1986)'' and inserting ''(as determined by the Secretary of Commerce under the Fishery Failures: Urgently Needed Disaster Declarations Act)''.

SEC. _____. BUDGET REQUESTS; REPORTS.

(a) BUDGET REQUEST.—In the budget justification materials submitted to Congress in support of the budget of the Department of Commerce for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Commerce shall include a separate statement of the amount requested to be appropriated for that fiscal year for outstanding unfunded fishery resource disasters.

(b) DRIFTNET ACT AMENDMENTS OF 1990 REPORT AND BYCATCH REDUCTION AGREEMENTS.—

(1) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(A) in section 202(h), by striking paragraph (3); and

(B) in section 206—

(i) by striking subsections (e) and (f); and

(ii) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(2) BIENNIAL REPORT ON INTERNATIONAL COMPLIANCE.—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended—

(A) by inserting ''(a) IN GENERAL.—'' before ''The Secretary'' and indenting appropriately; and

(B) by adding at the end the following:

''(b) ADDITIONAL INFORMATION.—In addition to the information described in paragraphs (1) through (5) of subsection (a), the report shall include—

''(1) a description of the actions taken to carry out the provisions of section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826), including—

''(A) an evaluation of the progress of those efforts, the impacts on living marine resources, including available observer data, and specific plans for further action;

''(B) a list and description of any new fisheries developed by nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation; and

''(C) a list of the nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation in a manner that diminishes the effectiveness of or is inconsistent with any international agreement governing large-scale driftnet fishing to which the United States is a party or otherwise subscribes; and

''(2) a description of the actions taken to carry out the provisions of section 202(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1822(h)).

''(c) CERTIFICATION.—If, at any time, the Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, identifies any nation that warrants inclusion in the list described under subsection

(b)(1)(C), due to large scale drift net fishing, the Secretary shall certify that fact to the President. Such certification shall be deemed to be a certification for the purposes of section 8(a) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)).''.

(c) REPORT ON EFFORTS TO PREPARE AND ADAPT UNITED STATES FISHERY MANAGEMENT FOR THE IMPACTS OF CLIMATE CHANGE.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Comptroller General of the United States shall submit a report to Congress examining efforts by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to prepare and adapt to the impacts of climate change.

(2) CONTENTS OF STUDY.—The report required under paragraph (1) shall include—

(A) an examination of current or previous efforts (including the 2016 GAO Report on Federal Fisheries Management), and whether those efforts have resulted in changes to management, by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to prepare and adapt Federal and jointly managed fisheries for the impacts of climate change;

(B) an examination of any guidance issued to the Regional Fishery Management Councils by the National Marine Fisheries Service to prepare and adapt Federal fishery management for the impacts of climate change and whether and how that guidance has been utilized;

(C) identification of and recommendations for how best to address the most significant economic, social, ecological, or other knowledge gaps, as well as key funding gaps, that would increase the ability of the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, or the National Marine Fisheries Service to prepare and adapt fishery management for the impacts of climate change;

(D) recommendations for how the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service can better adapt fishery management and prepare associated fishing industries and dependent communities for the impacts of climate change; and

(E) recommendations for how to enhance the capacity of the National Marine Fisheries Service to monitor climate-related changes to fisheries and marine ecosystems, to understand the mechanisms of change, to evaluate risks and priorities, to provide forecasts and projections of future conditions, to communicate scientific advice, and to better manage fisheries under changing conditions due to climate change.

SA 2620. Mr. LANKFORD 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. ___. SUPPLEMENTAL EMERGENCY UNEMPLOYMENT RELIEF FOR GOVERNMENTAL ENTITIES AND NONPROFIT ORGANIZATIONS.

(a) IN GENERAL.—Section 903(i)(1)(B) of the Social Security Act (42 U.S.C. 1103(i)(1)(B)) is amended by striking ''one-half'' and inserting ''100 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)).

SA 2621. Mr. BLUNT (for himself, Mr. CRAMER, Mr. DAINES, and Mr. SULLIVAN) 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 end, add the following:

SEC. 3. SUSTAINING TOURISM ENTERPRISES DURING THE COVID–19 PANDEMIC.

(a) SHORT TITLE.—This section may be cited as the ''Sustaining Tourism Enterprises During the COVID–19 Pandemic Act'' or the ''STEP Act''.

(b) TOURISM AND EVENTS SUPPORT AND PROMOTION.—Title II of the Public Works and Economic Development Act of 1965 is amended by inserting after section 207 (42 U.S.C. 3147) the following:

''SEC. 208. TOURISM AND EVENTS SUPPORT AND PROMOTION.

''(a) IN GENERAL.—Not later than 90 days after the date of enactment of the Sustaining Tourism Enterprises During the COVID–19 Pandemic Act, the Secretary shall provide grants to eligible entities—

''(1) to assist with loss of revenue due to the economic impact of the Coronavirus Disease 2019 (COVID–19); and

''(2) to promote economic recovery in communities affected by a decline in tourism and events due to COVID–19.

''(b) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section is an entity that performs tourism promotion responsibilities, hosts, organizes, owns, operates, or staffs an event venue, a convention, or a trade show, or provides services as a concessionaire to events and tourism locations, including—

''(1) a State tourism board or department;

''(2) a political subdivision or instrumentality of a State or local government;

''(3) a unit of local government, including a county government;

''(4) a Tribal government;

''(5) a multijurisdictional or regional group;

''(6) a nonprofit organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

''(7) a quasi-governmental organization; and

''(8) a private business.

''(c) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(d) SELECTION.—The Secretary shall select eligible entities to receive grants under this section based on factors to be determined by the Secretary, using the best available data, including economic impact information provided by applicants, such as information on job losses faced by the eligible entity or within the industry of the eligible entity, to address the economic recovery needs in areas impacted by the decline in travel, tourism, and events activities, and the associated revenues, due to COVID–19.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—An eligible entity may use the funds from a grant under this section—

''(A) to pay costs associated with tourism marketing and promotion activities necessary to assist with economic recovery from lost revenue due to COVID–19, including to purchase advertisements from local media outlets, including on radio and television broadcast stations and in newspapers, for the purpose of marketing, public awareness, or information campaigns relating to local tourism;

''(B) to pay costs to promote economic recovery in communities impacted by a decline in travel, tourism, and events revenue as a result of COVID–19, including through the provision of information on the safety and security of sites for traveler or attendee awareness;

''(C) to pay cleaning and sanitary costs, including physical modifications, associated with precautions to provide for safe worker, traveler, or event environments; and

''(D) to pay the costs of salaries and expenses associated with the operations of the eligible entity with respect to activities described in subparagraphs (A), (B), and (C).

''(2) PROHIBITION.—Funds from a grant under this section may not be used for activities related to or for purposes of lobbying any governmental entity.

''(f) DISTRIBUTION.—Of the amounts made available to carry out this section—

''(1) $2,000,000,000 shall be for expedited grants to eligible entities to offset revenue losses due to the economic impact of COVID–19; and

''(2) any remaining amounts shall be for grants for activities described in subparagraphs (A) through (D) of subsection (e)(1).

''(g) MAXIMUM AMOUNT OF GRANT.—An eligible entity may not receive a grant under this section in an amount that is—

''(1) in the case of a grant under subsection (f)(1), more than 80 percent of the loss in revenue experienced by the eligible entity during the period beginning March 1, 2020, and ending on the date of submission of the application, as compared to the same period in 2019; and

''(2) in the case of a grant under subsection (f)(2), more than 80 percent of the revenue of the eligible entity during calendar year 2019.

''(h) LIMITATION.—

''(1) IN GENERAL.—Not more than 15 percent of the amounts made available to carry out this section may be used to provide grants to eligible entities that are private businesses.

''(2) PRIORITY.—The Secretary shall give priority for the amounts under paragraph (1) to private businesses that are small business concerns (within the meaning of section 3 of the Small Business Act (15 U.S.C. 632)).

''(i) NO CEDS REQUIRED.—To receive a grant under this section, an eligible entity shall not be required to have a comprehensive economic development strategy.

''(j) WAIVER.—The Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with a grant under this section if the Secretary determines that any such waivers or alternative requirements are necessary to expedite or facilitate the use of the amounts made available under this section.

''(k) FEDERAL SHARE.—Notwithstanding section 204, the Federal share of the cost of an activity carried out with a grant under this section shall be 100 percent.

''(l) ADMINISTRATION.—

''(1) IN GENERAL.—Not more than 2 percent of the amounts made available to carry out this section may be used for the administrative costs of carrying out this section.

''(2) STAFFING.—

''(A) TEMPORARY APPOINTMENT.—The Secretary may appoint and fix the compensation

of such temporary personnel as may be necessary to carry out this section, without regard to the provisions of title 5, United States Code, governing appointments in competitive service.

''(B) PERMANENT APPOINTMENT.—

''(i) IN GENERAL.—In the case of an individual appointed as temporary personnel under subparagraph (A) who has served continuously for not less than 2 years, the Secretary may appoint that individual to a position in the Economic Development Administration in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions.

''(ii) TREATMENT.—An individual appointed to a position under clause (i) shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.

''(3) INVESTIGATIONS AND AUDITS.—The Secretary shall use $3,000,000 of the amounts made available to carry out this section to carry out investigations and audits related to the provision of grants under this section.

''(m) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000,000, to remain available until September 30, 2022.

''(2) ADDITIONAL FUNDING.—Notwithstanding any other provision of law, the Secretary may use any amounts made available to the Secretary under the heading 'ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS (INCLUDING TRANSFERS OF FUNDS)' under the heading 'ECONOMIC DEVELOPMENT ADMINISTRATION' under the heading 'DEPARTMENT OF COMMERCE' in title II of division B of the CARES Act (Public Law 116–136) that are unobligated as of the date of enactment of the Sustaining Tourism Enterprises During the COVID–19 Pandemic Act to provide grants under this section.''.

SA 2622. Mr. GRASSLEY 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. ___. MAINTAINING 2021 MEDICARE PART B PREMIUM AND DEDUCTIBLE AT 2020 LEVELS CONSISTENT WITH ACTUARIALLY FAIR RATES.

(a) 2021 PREMIUM AND DEDUCTIBLE AND REPAYMENT THROUGH FUTURE PREMIUMS.—Section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)) is amended—

(1) in the second sentence of paragraph (1), by striking ''(5) and (6)'' and inserting ''(5), (6), and (7)'';

(2) in paragraph (6)(C)—

(A) in clause (i), by striking ''section 1844(d)(1)'' and inserting ''subsections (d)(1) and (e)(1) of section 1844''; and

(B) in clause (ii), by striking ''paragraph (5)'' and inserting ''paragraphs (5) and (7)''; and

(3) by adding at the end the following:

''(7) In applying this part (including subsection (i) and section 1833(b)), the monthly actuarial rate for enrollees age 65 and over for 2021 shall be the same as the monthly actuarial rate for enrollees age 65 and over for 2020.''.

(b) TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w) is amended—

(1) in subsection (a), by adding at the end the following new sentence: ''In applying paragraph (1), the amounts transferred under subsection (e)(1) with respect to enrollees described in subparagraphs (A) and (B) of such subsection shall be treated as premiums payable and deposited in the Trust Fund under subparagraphs (A) and (B), respectively, of paragraph (1).''; and

(2) by adding at the end the following:

''(e)(1) For 2021, there shall be transferred from the General Fund to the Trust Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to the reduction in aggregate premiums payable under this part for a month in such year (excluding any changes in amounts collected under section 1839(i)) that are attributable to the application of section 1839(a)(7) with respect to—

''(A) enrollees age 65 and over; and

''(B) enrollees under age 65.

Such amounts shall be transferred from time to time as appropriate.

''(2) Premium increases affected under section 1839(a)(6) shall not be taken into account in applying subsection (a).

''(3) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the additional premiums payable as a result of the application of section 1839(a)(6), excluding the aggregate payments attributable to the application of section 1839(i)(3)(A)(ii)(II).''.

(c) ADDITIONAL TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w), as amended by subsection (b)(2), is amended by adding at the end the following:

''(f)(1) There shall be transferred from the General Fund of the Treasury to the Trust Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to amounts paid under the advance payment program under section 421.214 of title 42, Code of Federal Regulations (or any successor regulation) during the period beginning on March 28, 2020, and ending on July 9, 2020.

''(2) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the sum of—

''(A) the amounts by which claims have offset (in whole or in part) the amount of such advance payments described in paragraph (1); and

''(B) the amount of such advance payments that has been repaid (in whole or in part), under the advance payment program under such section 421.214 (or any such successor regulation).

''(3) Amounts described in paragraphs (1) and (2) shall be transferred from time to time as appropriate.''.

(d) INDENTATION CORRECTION.—Section 1839(i)(3)(A)(ii) of the Social Security Act (42 U.S.C. 1395r(i)(3)(A)(ii)) is amended by moving the indentation of subclause (I) two ems to the right.

(e) EMERGENCY DESIGNATION.—

(1) IN GENERAL.—The amounts provided by this section and the amendments made by this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) DESIGNATION IN SENATE.—In the Senate, this section and the amendments made by this section are designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2623. Mr. GRASSLEY 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:

TITLE ___—SUPPORTING PATIENTS, PROVIDERS, OLDER AMERICANS, AND FOSTER YOUTH IN RESPONDING TO COVID–19

Subtitle A—Promoting Access to Care and Services

SEC. __01. MAINTAINING 2021 MEDICARE PART B PREMIUM AND DEDUCTIBLE AT 2020 LEVELS CONSISTENT WITH ACTUARIALLY FAIR RATES.

(a) 2021 PREMIUM AND DEDUCTIBLE AND REPAYMENT THROUGH FUTURE PREMIUMS.—Section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)) is amended—

(1) in the second sentence of paragraph (1), by striking ''(5) and (6)'' and inserting ''(5), (6), and (7)'';

(2) in paragraph (6)(C)—

(A) in clause (i), by striking ''section 1844(d)(1)'' and inserting ''subsections (d)(1) and (e)(1) of section 1844''; and

(B) in clause (ii), by striking ''paragraph (5)'' and inserting ''paragraphs (5) and (7)''; and

(3) by adding at the end the following:

''(7) In applying this part (including subsection (i) and section 1833(b)), the monthly actuarial rate for enrollees age 65 and over for 2021 shall be the same as the monthly actuarial rate for enrollees age 65 and over for 2020.''.

(b) TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w) is amended—

(1) in subsection (a), by adding at the end the following new sentence: ''In applying paragraph (1), the amounts transferred under subsection (e)(1) with respect to enrollees described in subparagraphs (A) and (B) of such subsection shall be treated as premiums payable and deposited in the Trust Fund under subparagraphs (A) and (B), respectively, of paragraph (1).''; and

(2) by adding at the end the following:

''(e)(1) For 2021, there shall be transferred from the General Fund to the Trust Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to the reduction in aggregate premiums payable under this part for a month in such year (excluding any changes in amounts collected under section 1839(i)) that are attributable to the application of section 1839(a)(7) with respect to—

''(A) enrollees age 65 and over; and

''(B) enrollees under age 65.

Such amounts shall be transferred from time to time as appropriate.

''(2) Premium increases affected under section 1839(a)(6) shall not be taken into account in applying subsection (a).

''(3) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the additional premiums payable as a result of the application of section 1839(a)(6), excluding the aggregate payments attributable to the application of section 1839(i)(3)(A)(ii)(II).''.

(c) ADDITIONAL TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w), as amended by subsection (b)(2), is amended by adding at the end the following:

''(f)(1) There shall be transferred from the General Fund of the Treasury to the Trust

Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to amounts paid under the advance payment program under section 421.214 of title 42, Code of Federal Regulations (or any successor regulation) during the period beginning on March 28, 2020, and ending on July 9, 2020.

''(2) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the sum of—

''(A) the amounts by which claims have offset (in whole or in part) the amount of such advance payments described in paragraph (1); and

''(B) the amount of such advance payments that has been repaid (in whole or in part), under the advance payment program under such section 421.214 (or any such successor regulation).

''(3) Amounts described in paragraphs (1) and (2) shall be transferred from time to time as appropriate.''.

(d) INDENTATION CORRECTION.—Section 1839(i)(3)(A)(ii) of the Social Security Act (42 U.S.C. 1395r(i)(3)(A)(ii)) is amended by moving the indentation of subclause (I) two ems to the right.

SEC. __02. IMPROVEMENTS TO THE MEDICARE HOSPITAL ACCELERATED AND ADVANCE PAYMENTS PROGRAMS DURING THE COVID–19 PUBLIC HEALTH EMERGENCY.

(a) PART A.—

(1) REPAYMENT PERIODS.—Section 1815(f)(2)(C) of the Social Security Act (42 U.S.C. 1395g(f)(2)(C)) is amended—

(A) in clause (i), by striking ''120 days'' and inserting ''270 days''; and

(B) in clause (ii), by striking ''12 months'' and inserting ''18 months''.

(2) AUTHORITY FOR DISCRETION.—Section 1815(f)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395g(f)(2)(A)(ii)) is amended by inserting ''(or, with respect to requests submitted to the Secretary on or after July 9, 2020, may)''after ''shall.''.

(b) PART B.—In carrying out the advance payments program described in section 421.214 of title 42, Code of Federal Regulations (or a successor regulation), the Secretary of Health and Human Services, in the case of a payment made under such program during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), upon request of the supplier receiving such payment, shall—

(1) provide up to 270 days before claims are offset to recoup the payment; and

(2) allow not less than 14 months from the date of the first advance payment before requiring that the outstanding balance be paid in full.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(d) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, and the amendments made by, this section by program instruction or otherwise.

SEC. __03. AUTHORITY TO EXTEND MEDICARE TELEHEALTH WAIVERS.

(a) AUTHORITY.—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended by adding at the end the following new paragraph:

''(9) AUTHORITY TO EXTEND TELEHEALTH WAIVERS AND POLICIES.—

''(A) AUTHORITY.—Notwithstanding the preceding provisions of this subsection and section 1135, subject to subparagraph (B), if the emergency period under section 1135(g)(1)(B) expires prior to December 31, 2021, the authority provided the Secretary under section 1135(b)(8) to waive or modify requirements with respect to a telehealth service, and modifications of policies with respect to telehealth services made by interim final rule applicable to such period, shall be extended through December 31, 2021.

''(B) NO REQUIREMENT TO EXTEND.— Nothing in subparagraph (A) shall require the Secretary to extend any specific waiver or modification or modifications of policies that the Secretary does not find appropriate for extension.

''(C) IMPLEMENTATION.—Notwithstanding any provision of law, the provisions of this paragraph may be implemented by interim final rule, program instructions or otherwise.''.

(b) MEDPAC EVALUATION AND REPORT.—

(1) STUDY.—

(A) IN GENERAL.—The Medicare Payment Advisory Commission (in this subsection referred to as the ''Commission'') shall conduct an evaluation of—

(i) the expansions of telehealth services under part B of title XVII of the Social Security Act related to the COVID-19 public health emergency described in section 1135(g)(1)(B) of such Act (42 U.S.C. 1320b–5(g)(1)(B)); and

(ii) the appropriate treatment of such expansions after the expiration of such public health emergency.

(B) ANALYSIS.—The evaluation under subparagraph (A) shall include an analysis of each the following:

(i) Which, if any, of such expansions should be continued after the expiration of the such public health emergency,

(ii) Whether any such continued expansions should be limited to, or differentially applied to, clinicians participating in certain value-based payment models.

(iii) How Medicare should pay for telehealth services after the expiration of such public health emergency, and the implications of payment approaches on aggregate Medicare program spending,

(iv) Medicare program integrity and beneficiary safeguards that may be warranted with the coverage of telehealth services.

(v) The implications of expanded Medicare coverage of telehealth services for beneficiary access to care and the quality of care provided via telehealth.

(vi) Other areas determined appropriate by the Commission.

(2) REPORT.—Not later than June 15, 2021, the Commission shall submit to Congress a report containing the results of the evaluation conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Commission determines appropriate.

(c) HHS PROVISION OF INFORMATION AND STUDY AND REPORT.—

(1) PRE–COVID–19 PUBLIC HEALTH EMERGENCY TELEHEALTH AUTHORITY.—Not later than 3 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this subsection referred to as the ''Secretary'') shall make available on the internet website of the Centers for Medicare & Medicaid Services information describing the requirements applicable to telehealth services and other virtual services under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicare Advantage program under part C of such title prior to the waiver or modification of such requirements during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)), as established by statute, regulation, and sub-regulatory guidance under such title.

(2) STUDY AND REPORT.—

(A) STUDY.—The Secretary shall conduct a study on the impact of telehealth and other virtual services furnished under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) during the emergency period described in section 1135(g)(1)(B) of such Act (42 U.S.C. 1320b–5(g)(1)(B)). In conducting such study, the Secretary shall—

(i) assess the impact of such services on access to care, health outcomes, and spending by type of physician, practitioner, or other entity, and by patient demographics and other characteristics that include—

(I) age, gender, race, and type of eligibility for the Medicare program;

(II) dual eligibility for both the Medicare program and the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.);

(III) residing in an area of low-population density or a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act (42 U.S.C. 254e(a)(1)(A))) ;

(IV) diagnoses, such as a diagnosis of COVID–19, a chronic condition, or a mental health disorder or substance use disorder;

(V) telecommunication modality used, including extent to which the services are furnished using audio-only technology;

(VI) residing in a State other than the State in which the furnishing physician, practitioner, or other entity is located; and

(VII) other characteristics and information determined appropriate by the Secretary; and

(ii) to the extent feasible, assess such impact based on—

(I) the type of technology used to furnish the service;

(II) the extent to which patient privacy is protected;

(III) the extent to which documented or suspected fraud or abuse occurred; and

(IV) patient satisfaction.

(B) USE OF INFORMATION.—The Secretary may use reliable non-governmental sources of information in assessing the impact of characteristics described in subparagraph (A) under the study.

(C) REPORT.—

(i) INTERIM PROVISION OF INFORMATION.—The Secretary shall, as determined appropriate, periodically during such emergency period, post on the internet website of the Centers for Medicare & Medicaid services data on utilization of telehealth and other virtual services under the Medicare program and the impact of characteristics described in subparagraph (A) on such utilization.

(ii) REPORT.—Not later than 15 months after date of enactment of this Act, the Secretary shall submit to Congress a report on the study conducted under subparagraph (A), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. __04. EXTENDING MEDICARE TELEHEALTH FLEXIBILITIES FOR FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CLINICS.

(a) IN GENERAL.—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(1) in paragraph (4)(C)—

(A) in clause (i), in the matter preceding subclause (I), by striking ''and (7)'' and inserting ''(7), and (8)''; and

(B) in clause (ii)(X), by inserting ''or paragraph (8)(A)(i)'' before the period; and

(2) in paragraph (8)—

(A) in the paragraph heading by inserting ''AND FOR AN ADDITIONAL PERIOD AFTER'' after ''DURING '';

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by inserting ''and the 5-year period beginning on

the first day after the end of such emergency period'' after ''1135(g)(1)(B)'';

(ii) in clause (ii), by striking ''and'' at the end;

(iii) by redesignating clause (iii) as clause (iv); and

(iv) by inserting after clause (ii) the following new clause:

''(iii) the geographic requirements described in paragraph (4)(C)(i) shall not apply with respect to such a telehealth service; and'';

(C) in subparagraph (B)(i)—

(i) in the first sentence, by inserting ''and the 5-year period beginning on the first day after the end of such emergency period'' before the period; and

(ii) in the third sentence, by striking ''program instruction or otherwise'' and inserting ''interim final rule, program instruction, or otherwise''; and

(D) by adding at the end the following new subparagraph:

''(C) REQUIREMENT DURING ADDITIONAL PERIOD.—

''(i) IN GENERAL.—During the 5-year period beginning on the first day after the end of the emergency period described in section 1135(g)(1)(B), payment may only be made under this paragraph for a telehealth service described in subparagraph (A)(i) that is furnished to an eligible telehealth individual if such service is furnished by a qualified provider (as defined in clause (ii)).

''(ii) DEFINITION OF QUALIFIED PROVIDER.—For purposes of this subparagraph, the term 'qualified provider' means, with respect to a telehealth service described in subparagraph (A)(i) that is furnished to an eligible telehealth individual, a Federally qualified health center or rural health clinic that furnished to such individual, during the 3-year period ending on the date the telehealth service was furnished, an item or service in person for which—

''(I) payment was made under this title; or

''(II) such payment would have been made if such individual were entitled to, or enrolled for, benefits under this title at the time such item or service was furnished.''.

(b) EFFECTIVE DATE.—The amendments made by this section (other than the amendment made by subsection (a)(2)(D)) shall take effect as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

SEC. _05. SUPPORT FOR OLDER FOSTER YOUTH.

(a) FUNDING INCREASES.—The dollar amount specified in section 477(h)(1) of the Social Security Act (42 U.S.C. 677(h)(1)) for fiscal year 2020 is deemed to be $193,000,000.

(b) PROGRAMMATIC FLEXIBILITY.—During the COVID–19 public health emergency:

(1) SUSPENSION OF CERTAIN REQUIREMENTS UNDER THE EDUCATION AND TRAINING VOUCHER PROGRAM.—The Secretary may allow a State to waive the applicability of the requirement in section 477(i)(3) of the Social Security Act (42 U.S.C. 677(i)(3)) that a youth must be enrolled in a postsecondary education or training program or making satisfactory progress toward completion of that program if a youth is unable to meet these requirements due to the public health emergency.

(2) AUTHORITY TO WAIVE LIMITATIONS ON PERCENTAGE OF FUNDS USED FOR HOUSING ASSISTANCE AND ELIGIBILITY FOR SUCH ASSISTANCE.—Notwithstanding subsections (b)(3)(B) and (b)(3)(C) of section 477 of the Social Security Act (42 U.S.C. 677), a State may—

(A) use more than 30 percent of the amounts paid to the State from its allotment under subsection (c) of such section for a fiscal year for room or board payments; and

(B) expend amounts paid to the State from its allotment under subsection (c) of such section for a fiscal year for room or board for youth who have attained age 18, are no longer in foster care or otherwise eligible for services under such section, and experienced foster care at 14 years of age or older.

(c) SPECIAL RULES.—

(1) NONAPPLICATION OF MATCHING FUNDS REQUIREMENT FOR INCREASED FUNDING.—With respect to the amount allotted to a State under section 477(c)(1) of the Social Security Act (42 U.S.C. 677(c)(1)) for fiscal year 2020, the Secretary shall apply section 474(a)(4)(A)(i) of such Act (42 U.S.C. 674(a)(4)(A)(i)) to the additional amount of such allotment resulting from the deemed increase in the dollar amount specified in section 477(h)(1) of such Act (42 U.S.C. 677(h)(1)) for fiscal year 2020 under subsection (a) by substituting ''100 percent'' for ''80 percent''.

(2) NO RESERVATION FOR EVALUATION, TECHNICAL ASSISTANCE, PERFORMANCE MEASUREMENT, AND DATA COLLECTION ACTIVITIES.—Section 477(g)(2) of such Act (42 U.S.C. 677(g)(2)) shall not apply to the portion of the deemed dollar amount for section 477(h)(1) of such Act (42 U.S.C. 677(h)(1)) for fiscal year 2020 under subsection (a) that exceeds the dollar amount specified in that section for such fiscal year.

(d) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ''COVID–19 public health emergency'' means the public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act on January 31, 2020, entitled ''Determination that a Public Health Emergency Exists Nationwide as the Result of the 2019 Novel Coronavirus'' and includes any renewal of such declaration pursuant to such section 319.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. _06. COURT IMPROVEMENT PROGRAM.

(a) TEMPORARY FUNDING INCREASES.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary, $10,000,000 for fiscal year 2020 for making grants in accordance with this section to the highest State courts described in section 438 of the Social Security Act (42 U.S.C. 629h). Grants made under this section shall be considered to be Court Improvement Program grants made under such section 438, subject to the succeeding provisions of this section.

(b) DISTRIBUTION OF FUNDS.—

(1) IN GENERAL.—From the amount appropriated under subsection (a), the Secretary shall—

(A) reserve up to $500,000 for Tribal court improvement activities; and

(B) pay from the amount remaining after the application of subparagraph (A), a grant to each highest State court that is approved to receive a grant under section 438 of the Social Security Act for the purpose described in subsection (a)(3) of that section for fiscal year 2020.

(2) AMOUNT.—The amount of the grant awarded to a highest State court under this section is equal to the sum of—

(A) $85,000; and

(B) the amount that bears the same ratio to the amount appropriated under subsection (a) that remains after the application of paragraph (1)(A) and subparagraph (A) of this paragraph, as the number of individuals in the State who have not attained 21 years of age bears to the total number of such individuals in all States (based on the most recent year for which data are available from the Bureau of the Census).

(3) OTHER RULES.—

(A) IN GENERAL.—The grants awarded to the highest State courts under this section shall be in addition to any grants made to such courts under section 438 of such Act for any fiscal year.

(B) NO MATCHING REQUIREMENT.—The limitation on the use of funds specified in section 438(d) of such Act (42 U.S.C. 629h(d)) shall not apply to the grants awarded under this section.

(C) NO ADDITIONAL APPLICATION.—The Secretary shall award grants to the highest State courts under this section without requiring such courts to submit an additional application.

(D) REPORTS.—The Secretary may establish reporting criteria specific to the grants awarded under this section.

(E) REDISTRIBUTION OF FUNDS.—If a highest State court does not accept a grant awarded under this section, or does not agree to comply with any reporting requirements imposed under subparagraph (D) or the use of funds requirements specified in subsection (c), the Secretary shall redistribute the grant funds that would have been awarded to that court among the other highest State courts that are awarded grants under this section and agree to comply with such reporting and use of funds requirements.

(c) USE OF FUNDS.—A highest State court awarded a grant under this section shall use the grant funds to address needs stemming from the COVID–19 public health emergency, which may include any of the following:

(1) Technology investments to facilitate the transition to remote hearings for dependency courts when necessary as a direct result of the COVID–19 public health emergency.

(2) Training for judges, attorneys, and caseworkers on facilitating and participating in remote technology hearings that still comply with due process, meet Congressionally mandated requirements, ensure child safety and well-being, and help inform judicial decision-making.

(3) Programs to help families address aspects of the case plan to avoid delays in legal proceedings that would occur as a direct result of the COVID–19 public health emergency.

(4) Other purposes to assist courts, court personnel, or related staff related to the COVID–19 public health emergency.

(d) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ''COVID–19 public health emergency'' means the public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act on January 31, 2020, entitled ''Determination that a Public Health Emergency Exists Nationwide as the Result of the 2019 Novel Coronavirus'' and includes any renewal of such declaration pursuant to such section 319.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

Subtitle B—Emergency Support and COVID–19 Protection for Nursing Homes

SEC. _11. DEFINITIONS.

In this subtitle:

(1) COVID–19.—The term ''COVID–19'' means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(3) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(4) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(7) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

SEC. __12. ESTABLISHING COVID–19 STRIKE TEAMS FOR NURSING FACILITIES.

(a) IN GENERAL.—The Secretary is authorized to establish and support the operation of strike teams comprised of individuals with relevant skills, qualifications, and experience to respond to COVID–19-related crises in participating providers during the COVID–19 public health emergency period, based on data reported by such providers to the Centers for Disease Control and Prevention.

(b) MISSION AND COMPOSITION OF STRIKE TEAMS.—

(1) IN GENERAL.—Strike teams established by the Secretary may include assessment, testing, and clinical teams, and a mission for each such team may include performing medical examinations, conducting COVID–19 testing, and assisting participating providers with the implementation of infection control practices (such as quarantine, isolation, or disinfection procedures).

(2) LETTER OF AUTHORIZATION.—Strike teams and members of such teams shall be subject to the Secretary's oversight and direction and the Secretary may issue a letter of authorization to team members describing—

(A) the individual's designation to serve on 1 or more teams under an emergency proclamation by the Secretary;

(B) the mission of the team;

(C) the authority of the individual to perform the team mission;

(D) the individual's authority to access places, persons, and materials necessary for the team member's performance of the team's mission;

(E) the requirement that team members maintain the confidentiality of patient information shared with such individuals by a participating provider; and

(F) the required security background checks that the individual has passed.

(3) SECRETARIAL OVERSIGHT.—The Secretary may, at any time, disband any strike team and rescind the letter of authorization for any team member.

(4) TEAM AND MEMBER AUTHORITY.—A team and team member may not use the letter of authorization described in paragraph (2) for any purpose except in connection with the team's mission of acting in good faith to promote resident and employee safety in participating providers in which COVID–19 is confirmed to be present.

(5) ADMINISTRATION.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, may establish protocols and procedures for requesting the assistance of a strike team established under this section and any other procedures deemed necessary for the team's operation.

(6) SUPPLEMENTATION OF OTHER RESPONSE EFFORTS.—Strike teams established by the Secretary under this section shall supplement and not supplant response efforts carried out by a State strike team or a technical assistance team established by the Secretary during the COVID-19 public health emergency period.

SEC. __13. PROMOTING COVID–19 TESTING AND INFECTION CONTROL IN NURSING FACILITIES.

(a) NURSING HOME PROTECTIONS.—The Secretary, in consultation with the Elder Justice Coordinating Council, is authorized during the COVID–19 public health emergency period to enhance efforts by participating providers to respond to COVID–19, including through—

(1) development of online training courses for personnel of participating providers, survey agencies, the long-term care ombudsman of each State, and other individuals to facilitate the implementation of subsection (b);

(2) enhanced diagnostic testing of visitors to, personnel of, and residents of, participating providers in which measures of COVID–19 in the community support more frequent testing for COVID–19;

(3) development of training materials for personnel of participating providers, the long-term care ombudsman of each State, and other individuals to facilitate the implementation of subsection (c); and

(4) providing support to participating providers in areas deemed by the Secretary to require additional assistance due to the presence COVID–19 infections.

(b) TRAINING ON BEST PRACTICES IN INFECTION CONTROL AND PREVENTION.—

(1) IN GENERAL.—The Secretary shall develop training courses on infection control and prevention, including cohorting, strategies and use of telehealth to mitigate the transmission of COVID–19 in participating providers during the COVID–19 public health emergency period.

(2) DEVELOPMENT.—To the extent practicable, the training programs developed by the Secretary under this subsection shall use best practices in infection control and prevention.

(3) COORDINATION WITH OTHER FEDERAL ENTITIES.—The Secretary shall seek input as appropriate on the training courses developed under this subsection from the Elder Justice Coordinating Council and the Director of the Centers for Disease Control and Prevention.

(4) INTERACTIVE WEBSITE.—The Secretary is authorized to create an interactive website to disseminate training materials and related information in the areas of infection control and prevention, for purposes of carrying out this subsection during the COVID–19 public health emergency period.

SEC. __14. PROMOTING TRANSPARENCY IN COVID–19 REPORTING BY NURSING FACILITIES.

Not later than 10 days after the date of enactment of this Act, and at least weekly thereafter during the COVID-19 public health emergency period, the Secretary shall provide the Governor of each State with a list of all participating providers in the State with respect to which the reported cases of COVID–19 in visitors to, personnel of, and residents of, such providers increased during the previous week (or, in the case of the first such list, during the 10-day period beginning on the date of enactment of this Act).

SEC. __15. FUNDING.

The Secretary may use amounts appropriated for COVID–19 response and related activities pursuant to the CARES Act (Public Law 116–136) and subsequently enacted legislation to carry out this subtitle.

Subtitle C—Emergency Designation

SEC. __21. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The amounts provided by this title and the amendments made by this title are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this title and the amendments made by this title are designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2624. Mr. MORAN 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:

TITLE ____ PRIVATE-PUBLIC PARTNERSHIP TO PRESERVE JOBS IN THE AVIATION MANUFACTURING INDUSTRY

SEC. ___01. DEFINITIONS.

In this title:

(1) AT-RISK EMPLOYEE GROUP.—The term ''at-risk employee group'' means the portion of an employer's United States workforce that—

(A) does not exceed 25 percent of the employer's total United States workforce; and

(B) as of the date an application is submitted, is at risk of a furlough or permanent reduction in force but for the relief provided for in this title.

(2) AVIATION MANUFACTURING COMPANY.—The term ''aviation manufacturing company'' means those businesses that hold a Federal Aviation Administration Type Certificate, Production Certificate, Repair Station Certificate, or other similar authorization from the Federal Aviation Administration, and as the Secretary may determine, may include civil aviation suppliers of such businesses.

(3) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ''COVID–19 public health emergency'' means the public health emergency with respect to the 2019 Novel Coronavirus.

(4) EMPLOYEE.—The term ''employee'' has the meaning given that term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203)).

(5) EMPLOYER.—The term ''employer'' means an aviation manufacturing company that is an employer (as defined in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203)).

(6) PRIVATE PARTNER CONTRIBUTION.—The term ''private partner contribution'' means the contribution funded by the employer under this title to maintain a minimum of 50 percent of the at-risk employee group's total compensation level, and combined with the public partner contribution, is sufficient to maintain the total compensation level for the at-risk employee group as of April 1, 2020.

(7) PUBLIC PARTNER CONTRIBUTION.—The term ''public partner contribution'' means the contribution funded by the Federal Government under this title to provide not more than 50 percent of the at-risk employees group's total compensation level, and combined with the private partner contribution, is sufficient to maintain the total compensation level for those in the at-risk employee group as of April 1, 2020.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury, or the designee of the Secretary of the Treasury.

(9) TOTAL COMPENSATION LEVEL.—The term ''total compensation level'' means the level

of total base compensation and benefits being provided to an at-risk employee group employee, excluding overtime and premium pay, as of April 1, 2020.

SEC. ___02. PRIVATE-PUBLIC PARTNERSHIP.

(a) AUTHORITY TO ENTER INTO AGREEMENTS AND MAKE CONTRIBUTIONS.—Notwithstanding any other provision of law, to help ensure the continued retention of employees in the aviation manufacturing industry impacted by the COVID–19 public health emergency, the Secretary is authorized to partner with employers to supplement compensation of an at-risk employee group financially impacted by the COVID–19 public health emergency and to facilitate the effective economic recovery of the aviation manufacturing industry by entering into agreements with such employers and providing public partner contributions in accordance with this title. The public partner contributions made under such an agreement when combined with the private partner contribution, shall be in an amount sufficient to maintain the total compensation level for the at-risk employee group as of April 1, 2020, for a term to be agreed, but for a duration that is not longer than 1 year.

(b) PROCEDURES.—As soon as practicable, but in no case not later than 10 days after the date of enactment of this Act, the Secretary shall publish procedures for application and minimum eligibility requirements for participation in the private-public partnership program authorized under this title. Nothing in the preceding sentence shall be construed as prohibiting the Secretary from publishing such supplements to the initially published procedures as the Secretary determines necessary.

(c) TERMS AND CONDITIONS.—Upon submission of an application, the Secretary may partner with an employer to provide to the employer a public partner contribution, that together with the private partner contribution, shall constitute an amount sufficient to maintain the total compensation level of the at-risk employee group, for a period not to exceed 1 year, if the Secretary determines that—

(1) the employer establishes that economic conditions as of the date of the application would make necessary a furlough or permanent reduction in force of a portion of its workforce devoted to aviation manufacturing;

(2) there is an identifiable at-risk employee group;

(3) the employer agrees to fund the private partner contribution for as long as it is accepting the public partner contribution (and, in the event circumstances dictate that the employer cease its participation in this program early, the employer agrees and shall notify the Secretary that there shall be no further obligation of the Secretary to fund the public partner contribution);

(4) the employer commits to refrain from any furlough or permanent reduction in force of employees in the at-risk employee group for as long as it accepts public partner contributions for that group, subject to the employer's right to discipline or terminate an employee in accordance with employer policy;

(5) the employer shall use the public and private partner contribution solely for the purpose of providing compensation and benefits of the at-risk employee group and for no other purpose; and

(6) the public and private partner contribution shall be utilized solely for compensation of United States-based employees.

(d) CONSIDERATIONS.—In determining whether to enter into a private-public partnership with an employer and the terms for such a partnership with a specific employer, the Secretary may consider—

(1) the relevant financial performance of the employer, including the extent to which the employer has experienced a deterioration in cash position, loss of revenue, and other relevant information;

(2) information regarding the likelihood the employer will need to impose a furlough or permanent reduction in force of employees in the at-risk employee group in the absence of the partnership and the factors that would be used to determine which employees in the at-risk employee group are likely to be so affected, including whether the selection of employees to be so affected would be based on a general reduction in headcount across the business or by location (or both), position, or other factors; and

(3) any other information the Secretary deems relevant to determining whether to enter into a private-public partnership with an employer or to the terms for such a partnership with a specific employer.

(e) NO LIMIT ON NUMBER AGREEMENTS WITH AN EMPLOYER.—An employer may seek and be granted public partner contributions under this title on multiple occasions.

(f) COORDINATION.—In implementing this section, the Secretary shall coordinate with the Secretary of Transportation and the Secretary of Commerce.

(g) AGREEMENT DEADLINE.—No agreement shall be entered into by the Secretary under the private-public partnership program authorized under this title after the end of the 1-year period that begins on the effective date for the first agreement entered into under such program.

SEC. ___03. FUNDING.

Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary $14,400,000,000 for the period of fiscal years 2020 through 2021, to carry out this title.

SA 2625. Mr. WICKER (for himself, Mr. RUBIO, Mr. BLUNT, Mrs. BLACKBURN, Ms. COLLINS, Mr. CORNYN, Mrs. HYDE-SMITH, Mr. CASSIDY, and Mr. GRAHAM) 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:

TITLE ___ CORPS ACT

SEC. ___ 1. SHORT TITLE.—

This title may be cited as the ''Cultivating Opportunity and Response to the Pandemic through Service Act'' or the ''CORPS Act''.

SEC. ___2. FINDINGS.

Congress finds the following:

(1) The United States has a strong history of citizen response to national calls to service in order to help the Nation recover in times of crisis.

(2) More than 80 years ago, the Nation rose to the challenge of the Great Depression with the creation of citizen service programs like the Civilian Conservation Corps (referred to in this section as the ''CCC'') and the Works Progress Administration (referred to in this section as the ''WPA'').

(3) Millions of participants benefitted from paid employment and opportunities to develop their skills while constructing national parks and public lands infrastructure and producing cultural works still enjoyed today.

(4) Following decades of evolution, incorporating policies of both political parties, today's national service programs carry on the legacy of the CCC and WPA.

(5) Founded in 1990, the Corporation for National and Community Service today coordinates national service by individuals in the United States across every State and territory, partnering with State-level commissions and supporting locally driven services in partnership with nongovernmental organizations and State governments.

(6) National service programs provide public health, education, employment training, and nutrition services for which the Nation has a critical need in the current crisis.

(7) The signature programs of the Corporation for National and Community Service, which are the AmeriCorps State and National, AmeriCorps National Civilian Community Corps, AmeriCorps VISTA, and National Senior Service Corps programs, can and should be expanded to meet current needs.

(8) The novel coronavirus pandemic has infected and killed individuals in every State and territory, causing more than 2,000,000 cases and 115,000 deaths so far.

(9) In response, States, tribal governments, and cities across the country have closed down businesses, schools, and public events, leading to a dramatic drop in economic activity and a sharp projected decline in the United States economy.

(10) More than 40,000,000 applications for unemployment benefits have been filed in recent weeks, with weekly filings repeatedly exceeding historic record levels.

(11) More than 1 in every 10 adults in the United States has applied for unemployment insurance since the crisis began.

(12) The pandemic and the associated economic consequences have disproportionately impacted people of color across many States.

(13) To recover, the Nation also needs meaningful employment opportunities, as well as a significant expansion of the human capital working to address community needs around public health, behavioral health, hunger, education, and conservation.

(14) Experience has demonstrated the centrality of community participation in pandemic response, to overcome stigma and structural barriers and meet the full needs of all members of a diverse community.

(15) As the Nation works to respond to and recover from the current twin challenges of a public health pandemic and an economic crisis, national service presents a unique opportunity for flexible, locally driven responses to meet State and local public health, employment, and recovery needs.

SEC. ___3. PURPOSES.

The purposes of this title are—

(1) to provide for annual growth of 250,000 participants, over 3 years, in national service programs, such as the Public Land Corps (also known as the 21st Century Conservation Service Corps) programs and other AmeriCorps programs, that will provide services in response to the pandemic and economic crisis;

(2) to ensure that participant allowances cover the reasonable cost of participation and provide participants with economic and educational opportunity;

(3) to stabilize such national service programs during economic crisis; and

(4) to support opportunities for all individuals in the United States to engage in service.

SEC. ___4. DEFINITIONS.

(a) NCSA.—Section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511) is amended—

(1) by redesignating paragraphs (13) through (16), (17) through (35), and (36) through (49), as paragraphs (14) through (17), (19) through (37), and (39) through (52), respectively;

(2) by inserting after paragraph (12) the following:

''(13) COVID–19 DEFINITIONS.—

''(A) COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—The term 'COVID–19 emergency response and recovery period' means the period beginning on the first day of the COVID–19 public health emergency and ending at the end of fiscal year 2023.

''(B) COVID–19 PUBLIC HEALTH EMERGENCY.—The term 'COVID–19 public health emergency' means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19.'';

(3) by inserting after paragraph (17), as so redesignated, the following:

''(18) HIGH-POVERTY AREA.—The term 'high -poverty area' means a census tract defined as high-poverty by the Bureau of the Census.''; and

(4) by inserting after paragraph (37), as so redesignated, the following:

''(38) PUBLIC LAND CORPS.—The term 'Public Lands Corps' means the Corps established in section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723).''.

(b) DVSA.—Section 421 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061) is amended—

(1) in paragraph (19), by striking ''and'' after the semicolon;

(2) in paragraph (20), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(21)(A) the term 'COVID–19 emergency response and recovery period' means the period beginning on the first day of the COVID–19 public health emergency and ending at the end of fiscal year 2023; and

''(B) the term 'COVID–19 public health emergency' means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19; and

''(22) the term 'Public Lands Corps' means the Corps established in section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723).''.

SEC. ___5. PRIORITIZING RESPONSE SERVICES.

(a) AMERICORPS STATE AND NATIONAL.—

(1) NATIONAL SERVICE PRIORITIES.—Section 122(f) of the National and Community Service Act of 1990 (42 U.S.C. 12572(f)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by adding at the end the following: ''For fiscal years 2020 through 2023, the Corporation shall include, in the national service priorities, the priorities described in paragraph (5).''; and

(ii) in subparagraph (B), by adding at the end the following: ''For fiscal years 2020 through 2023, each State shall include, in the State priorities, the priorities described in paragraph (5).''; and

(B) by adding at the end the following:

''(5) EMERGENCY PRIORITIES.—For fiscal years 2020 through 2023, the priorities established under paragraph (1) for national service programs shall provide that the Corporation and the States, as appropriate, shall give priority to entities submitting applications—

''(A) that propose activities directly related to the response to and recovery from the COVID–19 public health emergency, such as the provision of—

''(i) public health services, including support for isolation and quarantine activities;

''(ii) emergency logistics, such as the setup of alternate care sites;

''(iii) work that furthers the capacity of State (including territorial), tribal, and local health departments and the recommendations of the Director of the Centers for Disease Control and Prevention;

''(iv) work that furthers the capacity of nonprofit and community organizations to respond to the immediate needs of individuals affected by COVID–19;

''(v) services that support economic opportunity;

''(vi) education, including enrichment and adult education and literacy activities;

''(vii) services to address housing and food insecurity; and

''(viii) jobs for youth in preserving and restoring nature;

''(B) who—

''(i) are—

''(I) current (as of the date of the application submission) or former recipients of financial assistance under the program for which the application is submitted; and

''(II) able to provide services directly related to the response and recovery described in subparagraph (A); or

''(ii) are—

''(I) community-based organizations located in the rural or high-poverty areas, or tribal communities, the organizations propose to serve; and

''(II) able to provide services directly related to the response and recovery described in subparagraph (A);

''(C) to the maximum extent practicable—

''(i) if the entities are proposing programs that serve, or proposing to give priority for positions to applicants from, underserved populations, such as individuals described in section 129(a)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)(B)), minority individuals, individuals who have had contact with the juvenile justice system, Indians, veterans, and individuals whose abilities are not typical, such as individuals with intellectual or developmental disabilities;

''(ii) especially if the entities propose recruiting applicants for positions to serve in the same metropolitan or micropolitan statistical area or county as the area or county, respectively, in which the applicants attended a secondary school or institution of higher education; and

''(iii) especially if the entities propose programs that serve populations in rural or high-poverty areas, or tribal communities; and

''(D) that propose to give priority for positions to applicants who—

''(i) were serving outside of the United States in the Peace Corps, the J. William Fulbright Educational Exchange Program referenced in section 112 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460), or the program under this subtitle, subtitle E, or part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); but

''(ii) ended their terms of service early, or returned to the United States before the end of their terms of service, due to the COVID–19 public health emergency.''.

(b) AMERICORPS NCCC.—Section 157 of the National and Community Service Act of 1990 (42 U.S.C. 12617) is amended—

(1) in subsection (b)(1), by adding at the end the following:

''(C) SURGE CAPACITY AND PRIORITY PROJECTS.—

''(i) SURGE CAPACITY PROJECTS.—The Corporation and the Director of the Centers for Disease Control and Prevention shall develop, and the Corporation shall approve, a proposal for public health surge capacity projects. In carrying out the projects, the Corporation and the Director shall develop and deploy public health surge capacity teams.

''(ii) PRIORITY PROJECTS.—For fiscal years 2020 through 2023, the Corporation shall give priority to entities submitting applications for projects under this subtitle in the same manner as the Corporation gives priority to entities submitting applications for national service programs under section 122(f)(5).''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''The campus'' and inserting ''Except as provided in paragraph (3), the campus''; and

(B) by adding at the end the following:

''(3) SURGE CAPACITY AND PRIORITY PROJECTS.—The Corporation shall assign the projects described in clauses (i) and (ii) of subsection (b)(1)(C) to specified Corps campuses.''.

(c) AMERICORPS VISTA.—Section 109 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4960) is amended by adding at the end the following: ''For fiscal years 2020 through 2023, the Corporation shall give priority to entities submitting applications for projects or programs under this part in the same manner as the Corporation gives priority to entities submitting applications for national service programs under section 122(f)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12572(f)(5)).''.

SEC. ___6. STRENGTHENING OPPORTUNITY.

(a) ALLOWANCES.—

(1) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b)) is amended by adding at the end the following:

''(4) Notwithstanding paragraph (2), during the COVID–19 emergency response and recovery period, the Director shall set the subsistence allowance for volunteers under paragraph (1) for each fiscal year so that—

''(A) the minimum allowance is not less than an amount equal to 175 percent of such poverty line (as defined in section 673(2) of the Community Services Block Grant Act) for a single individual as expected for each fiscal year; and

''(B) the average subsistence allowance, excluding allowances for Hawaii, Guam, American Samoa, and Alaska, is not less than 185 percent of such poverty line.

''(5)(A) A stipend or allowance under this section or an allowance under section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594) shall not be increased as a result of amendments made by the Cultivating Opportunity and Response to the Pandemic through Service Act, or any other amendment made to this section or that section 140, respectively, unless the funds appropriated for carrying out this part or subtitle C of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.), respectively, are sufficient to maintain for the fiscal year involved a number of participants to serve under this part or that subtitle C, respectively, that is at least equal to the number of such participants so serving during the preceding fiscal year.

''(B) In the event that sufficient appropriations for any fiscal year (consistent with subparagraph (A)) are not available to increase any stipend or allowance under this section or allowance under section 140 of the National and Community Service Act of 1990 to the minimum amount specified in this section or under that section 140, respectively, the Director shall increase the stipend or allowance involved to such amount as appropriations for such year permit consistent with subparagraph (A).''.

(2) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Section 158 of the National and Community Service Act of 1990 (42 U.S.C. 12618) is amended by adding at the end the following:

''(h) ADJUSTMENT TO MAXIMUM ALLOWANCE DURING COVID–19 RESPONSE AND RECOVERY

PERIOD.—Notwithstanding the limitation on the allowance amount specified in subsection (b), during the COVID–19 emergency response and recovery period, the amount of the allowance that the Director shall establish pursuant to that subsection shall be any amount not in excess of the amount equal to 175 percent of the poverty line that is applicable to a family of 2 (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).''.

(b) NATIONAL SERVICE EDUCATIONAL AWARDS.—Section 147 of the National and Community Service Act of 1990 (42 U.S.C. 12603) is amended by adding at the end the following:

''(f) ADJUSTMENT TO EDUCATIONAL AWARD DURING THE COVID–19 RESPONSE AND RECOVERY.—

''(1) IN GENERAL.—Notwithstanding subsection (a), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position during the COVID–19 emergency response and recovery period shall receive a national service educational award having a value equal to twice the maximum amount of a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) that a student eligible for such Grant may receive in the aggregate (without regard to whether the funds are provided through discretionary or mandatory appropriations), for the award year for which the national service position is approved by the Corporation.

''(2) LESS THAN FULL-TIME SERVICE.—Notwithstanding subsections (b) and (c), an individual described in section 146(a) who successfully completes a required term of part-time national service in an approved national service position during the COVID–19 response and recovery period, or who is serving in an approved national service position and is released, during that period, in accordance with section 139(c)(1)(A) from completing the full-time or part-time term of service agreed to by the individual, shall receive that portion of the national service educational award calculated under paragraph (1) that corresponds to the quantity of the term of service actually completed by the individual.

''(3) DEFINITION.—In this subsection, the term 'institution of higher education' has the meaning given the term in section 148(h).''.

(c) TAX PROVISIONS.—

(1) INCOME TAX EXCLUSION FOR LIVING ALLOWANCE.—

(A) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139H the following new section:

''SEC. 139I. LIVING ALLOWANCE FOR NATIONAL SERVICE PARTICIPANTS.

''Gross income does not include the amount of any living allowance provided under section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b)) or section 140(a) or 158(b) of the National and Community Service Act of 1990 (42 U.S.C. 12594(a), 12618(b)).''.

(B) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 139H the following new item:

''Sec. 139I. Living allowance for national service participants.''.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to taxable years beginning after the date of the enactment of this Act.

(2) EXCLUSION FROM GROSS INCOME OF NATIONAL SERVICE EDUCATIONAL AWARDS.—

(A) IN GENERAL.—Section 117 of the Internal Revenue Code of 1986 (relating to qualified scholarships) is amended by adding at the end the following new subsection:

''(e) NATIONAL SERVICE EDUCATIONAL AWARDS.—Gross income shall not include any payments from the National Service Trust established under section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), including the national service educational award described in subtitle D of title I of such Act (42 U.S.C. 12601 et seq.).''.

(B) EXCLUSION OF DISCHARGE OF STUDENT LOAN DEBT.—Subsection (f) of section 108 of such Code is amended by adding at the end the following new paragraph:

''(6) PAYMENTS UNDER NATIONAL SERVICE EDUCATIONAL AWARD PROGRAMS.—In the case of an individual, gross income shall not include any amount received as a national service educational award under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).''.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to taxable years ending after the date of the enactment of this Act.

SEC. ___7. INVITING PARTICIPATION.

(a) COORDINATION WITH OTHER YOUTH PROGRAMS.—Section 193A of the National and Community Service Act of 1990 (42 U.S.C. 12651d) is amended by adding at the end the following:

''(j) COORDINATION WITH OTHER YOUTH PROGRAMS.—

''(1) COVERED PROGRAMS.—The term 'covered program' means—

''(A) the YouthBuild program carried out by the Secretary of Labor under section 171 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226);

''(B) the program of the Indian Youth Service Corps under section 210 of the Public Lands Corps Act of 1993 (16 U.S.C. 1727b);

''(C) a youth conservation corps program under title I of the Act entitled 'An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes', approved August 13, 1970 (commonly known as the 'Youth Conservation Corps Act of 1970'; 16 U.S.C. 1701 et seq.); and

''(D) the National Guard Youth Challenge Program under section 509 of title 32, United States Code.

''(2) COORDINATION.—The Chief Executive Officer, in coordination with the Federal agency representatives for covered programs, shall develop a plan and make recommendations in the plan to improve coordination between covered programs and programs of the Corporation to meet the needs of underserved youth, such as economically disadvantaged youth, minority youth, youth who left school without a secondary school diploma, formerly incarcerated or court-involved youth, youth who are children of an incarcerated parent, youth in foster care (including youth aging out of foster care), migrant youth, and other youth who are neither enrolled in secondary or postsecondary school or participating in the labor market.''.

(b) PLATFORM FOR NATIONAL SENIOR SERVICE CORPS.—Title IV of the Domestic Volunteer Service Act of 1973 is amended—

(1) by redesignating section 421 (42 U.S.C. 5061), as amended by section ___4(b), as section 401;

(2) by moving that section 401 so as to follow the title heading for title IV; and

(3) by inserting after section 420 (42 U.S.C. 5059) the following:

''SEC. 421. ONLINE SERVICE PLATFORM.

''(a) ESTABLISHMENT.—The Chief Executive Officer of the Corporation shall establish an online service platform with a gateway to connect volunteers in the National Senior Service Corps with service projects and enable the volunteers to carry out distance volunteer services. The platform shall be linked to and placed prominently on the website of the Corporation. The Corporation may enter into a contract with a public entity to create the platform.

''(b) TRAINING RESOURCES AND INFORMATION.—

''(1) IN GENERAL.—The Corporation shall provide training resources, information, and guidance for the volunteers on the platform.

''(2) INFORMATION.—The Corporation shall provide information to regional offices of the Corporation about how to get volunteers in the National Senior Service Corps connected to the platform through the gateway.

''(3) GUIDANCE.—The Corporation shall issue guidance for the regional offices about how to transfer the programs of the National Senior Service Corps to the platform.

''(4) OUTREACH.—The Corporation shall provide outreach services to promote the platform including outreach to institutions of higher education, the Department of Veterans Affairs for mentorship projects, and State and local governments for community engagement projects.''.

(c) OUTREACH AND PROMOTION CAMPAIGN.—Section 193A(g) of such Act is amended by adding at the end the following:

''(4) OUTREACH AND PROMOTION CAMPAIGN.—

''(A) IN GENERAL.—In carrying out public awareness functions under this subsection, the Corporation shall carry out an outreach and promotion campaign to promote programs under the national service laws with opportunities to respond to the COVID–19 public health emergency, with the goal of maximizing awareness of those programs among individuals ages 17 through 30.

''(B) REPORT.—The Corporation shall prepare and submit to Congress a report that—

''(i) evaluates the outreach and promotion campaign; and

''(ii) contains—

''(I) an analysis of the measures and resources that would be required for the Corporation effectively to notify individuals who are ages 17 through 30 every 2 years of opportunities under the national service laws and steps to take to apply for those opportunities;

''(II) a description of how the Corporation would ensure those measures would enable the Corporation to provide that notification to targeted individuals from diverse geographic areas, including individuals who are ages 17 through 30 living in rural or high-poverty areas, or tribal communities; and

''(III) a recommendation regarding whether the Corporation should make the notifications described in subclause (I).''.

(d) VOLUNTEER GENERATION FUND.—Section 198P(d)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12653p(d)(2)) is amended by adding at the end the following: ''With respect to grants made with funds appropriated as an additional amount under section 501(a)(4)(F), the minimum grant amount shall be not less than $250,000.''.

SEC. ___8. ENSURING AGILITY.

(a) WAIVER OF MATCHING FUNDS REQUIREMENTS.—Section 189A of the National and Community Service Act of 1990 (42 U.S.C. 12645d) is amended—

(1) in the section heading, by inserting ''**; MATCHING FUNDS DURING COVID–19 RESPONSE AND RECOVERY PERIOD**'' after ''**COMMUNITIES**''; and

(2) by adding at the end the following:

''(c) COVID–19 RESPONSE.—Notwithstanding any other provision of law, an entity that receives assistance from the Corporation for any program under the national

service laws (including a State Commission and an entity receiving subgrant funds) during the COVID–19 emergency response and recovery period shall not be subject to any requirements to provide matching funds for any such program, and the Federal share of such assistance for a recipient (including for a State Commission and a subgrant recipient) may be 100 percent.''.

(b) PILOT PROGRAM.—Section 126 of the National and Community Service Act of 1990 (42 U.S.C. 12576) is amended by adding at the end the following:

''(d) DIRECT PLACEMENTS DURING THE COVID–19 RESPONSE AND RECOVERY PERIOD.—

''(1) IN GENERAL.—Notwithstanding section 178(h), during the COVID–19 emergency response and recovery period, the Corporation shall implement a pilot program allowing State Commissions to directly place a portion of individuals who have approved national service positions in State national service programs in a manner to be determined by the Corporation.

''(2) PRIORITIES.—State Commissions participating in the pilot program shall, to the extent practicable, prioritize the placement of individuals in national service programs that serve rural or high-poverty areas, or tribal communities, especially such programs carried out by entities that have not previously been service sponsors for participants.

''(3) REPORT.—The Corporation shall prepare and submit a report to Congress at the end of the pilot program described in paragraph (1), containing recommendations about whether and how to continue such a program of direct placements.''.

(c) NO SUMMER LIMITATION DURING COVID–19 RESPONSE AND RECOVERY PERIOD.—Section 104 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4954) is amended by adding at the end the following:

''(f)(1) Notwithstanding any other provision of this part, during the COVID–19 emergency response and recovery period, the Director may enroll full-time VISTA associates in a program, during any months of the year, under such terms and conditions as the Director shall determine to be appropriate. Such individuals shall be assigned to projects that address the needs of underserved communities as a result of the COVID–19 public health emergency.

''(2) In preparing reports relating to programs under this Act, the Director shall report on participants, costs, and accomplishments under the program under this subsection separately.

''(3) The limitation on funds appropriated for grants and contracts, as contained in section 108, shall not apply to the program under this subsection.''.

(d) VISTA LIMITATION APPLICABILITY.—Section 108 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4958) is amended—

(1) in subsection (a), by striking ''Of funds appropriated'' and inserting ''Subject to subsection (c), of funds appropriated''; and

(2) by adding at the end the following:

''(c) RULE FOR COVID–19 RESPONSE AND RECOVERY PERIOD.—Notwithstanding subsection (a), during the COVID–19 emergency response and recovery period, in order to address the needs of underserved communities related to the COVID–19 pandemic, of funds appropriated for the purpose of this part under section 501, not more than 75 percent may be obligated for the direct cost of supporting volunteers in programs and projects (including new programs and projects that begin after the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act) carried out pursuant to this part, and such funds may be obligated regardless of when grant recipients commenced such programs and projects.''.

(e) AUGMENTATION AND EXPANSION GRANTS.—Title IV of the National and Community Service Act of 1990 (42 U.S.C. 12671) is amended—

(1) by striking the title IV title heading and all that follows through the section heading for section 401 and inserting the following:

''TITLE IV—RESPONSE PROJECTS

''SEC. 401. PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS.'';

and

(2) by adding at the end the following:

''SEC. 402. COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD AUGMENTATION AND EXPANSION GRANTS.

''During the COVID–19 emergency response and recovery period, the Corporation may award noncompetitive augmentation and expansion grants, at such time and in such manner as the Corporation determines appropriate.''.

(f) TERM OF SERVICE DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Section 146 of the National and Community Service Act of 1990 (42 U.S.C. 12602) is amended by adding at the end the following:

''(g) TERM OF SERVICE DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Notwithstanding the aggregate value limit described in subsection (c), during the COVID–19 emergency response and recovery period, a participant who received 2 national service educational awards for terms of service concluding before the end of fiscal year 2020 may, as determined by the Corporation, be eligible for an additional term of service and, on the successful completion of that term, a third national service educational award.''.

(g) INCREASE IN LIMITATION ON GRANT AMOUNTS.—

(1) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT DURING EMERGENCY RESPONSE AND RECOVERY PERIOD.—Section 189 of the National and Community Service Act of 1990 (42 U.S.C. 12645c) is amended by adding at the end the following:

''(f) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Notwithstanding the limits described in subsections (a) and (e), during the COVID–19 emergency response and recovery period, the amount of funds approved by the Corporation for a grant to operate a program authorized under the national service laws, for supporting individuals serving in approved national service positions, may not exceed, for each full-time equivalent position—

''(1) an amount equal to the sum of—

''(A) $7,500; and

''(B) the living allowance established under section 140(a) (including any adjustment attributable to section 105(b)(4) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b))); or

''(2) for a grant for a program meeting the requirements described in subsection (e), an amount equal to the sum of—

''(A) $10,000; and

''(B) the living allowance established under section 140(a) (including any adjustment referred to in paragraph (1)(B)).''.

(2) WAIVER AUTHORITY FOR INCREASED LIMITATION.—Section 189(e)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12645c(e)(1)) is amended by striking ''$19,500'' and inserting ''an amount equal to the sum of $10,000 and the living allowance established under section 140(a) (including any adjustment referred to in subsection (f)(1)(B))''.

(h) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT FOR EDUCATIONAL AWARD ONLY PROGRAM DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Section 129A of the National and Community Service Act of 1990 (42 U.S.C. 12581a) is amended by adding at the end the following:

''(g) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT FOR EDUCATIONAL AWARD ONLY PROGRAM DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Notwithstanding the limit described in subsection (b), during the COVID–19 emergency response and recovery period, the Corporation may provide the operational support under this section for a program in an amount that is not more than $1,600 per individual enrolled in an approved national service position, or not more than $2,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.''.

(i) SEASONAL PROGRAM.—

(1) ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.—Section 152(b)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12612(b)(2)) is amended by striking ''summer'' and inserting ''seasonal''.

(2) SEASONAL NATIONAL SERVICE PROGRAM.—Section 154 of the National and Community Service Act of 1990 (42 U.S.C. 12614) is amended—

(A) in the section heading by striking ''**SUMMER**'' and inserting ''**SEASONAL**'';

(B) in subsection (a), by striking ''summer'' and inserting ''seasonal'';

(C) in subsection (b), by striking ''50 percent of the participants in the summer'' and inserting ''35 percent of the participants in the seasonal''; and

(D) by striking subsection (c) and inserting the following:

''(c) SEASONAL PROGRAM.—Persons desiring to participate in the seasonal national service program shall enter into an agreement with the Director to participate in the Corps for a period of not less than 3 months and not more than 6 months, as specified by the Director.''.

(j) NATIONAL SENIOR SERVICE CORPS.—Part D of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5021 et seq.) is amended by adding at the end the following:

''SEC. 229. COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.

''(a) AGE REQUIREMENTS.—Notwithstanding section 201(a), during the COVID–19 emergency response and recovery period, in order to address the critical needs of local communities across the country as a result of the COVID–19 pandemic, individuals who are 45 years of age or older may be enrolled as volunteers to provide services under part A.

''(b) INCOME REQUIREMENTS.—Notwithstanding section 211(d), during the COVID–19 emergency response and recovery period, the terms 'low-income person' and 'person of low income' under such section shall mean any person whose income is not more than 400 percent of the poverty line defined in section 673(2) of the Community Services Block Grant (42 U.S.C. 9902(2)) and adjusted by the Director in the manner described in such section.''.

(k) FLEXIBILITY.—

(1) POLICY OF MAXIMIZING FLEXIBILITY.—It is the sense of the Senate that, in carrying out activities under this title, the Corporation for National and Community Service should, consistent with the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) and the National and Community Service Act of 1990 (42 U.S.C. 12501), maximize the flexibility of State Commissions (as defined in section 101 of such Act (42 U.S.C. 12511)) to award and amend grants, consistent with the purposes of this title, and to rapidly enroll new individuals to serve in programs under the national service laws.

(2) REPORT ON ACTIVITIES TO MAXIMIZE FLEXIBILITY.—Not later than 120 days after the date of enactment of this Act, and in consultation with such State Commissions,

the Chief Executive Officer of the Corporation for National and Community Service shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report containing recommendations on what additional actions to maximize flexibility for such State Commissions would strengthen the work of State Commissions and their grantees.

(l) FURTHER EXPEDITING RAPID ENROLLMENT.—Not later than 90 days after the date of enactment of this Act, the Chief Executive Officer of the Corporation for National and Community Service shall review the Corporation's capacity and 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 containing information about whether a new unit within the Corporation for National and Community Service should be established to provide additional assistance or manage the enrollment process to ensure compliance with sections 189D and 199I of the National and Community Service Act of 1990 (42 U.S.C. 12645g; 12655i) for incoming participants in national service programs, particularly new national service programs receiving program assistance for the first time.

SEC. ___9. AUTHORIZATIONS OF APPROPRIATIONS.

(a) AMERICORPS STATE AND NATIONAL; EDUCATIONAL AWARDS.—

(1) IN GENERAL.—Section 501(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(2)) is amended by striking ''fiscal years 2010 through 2014'' and all that follows and inserting ''fiscal year 2020, in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, additional amounts of—

''(A) $10,300,000,000, to provide financial assistance under subtitle C of title I; and

''(B) $3,659,000,000, to provide national service educational awards under subtitle D of title I for the total of the number of participants described in section 121(f)(1) for fiscal years 2020 through 2023.''.

(2) CONFORMING AMENDMENT.—Section 121(f)(1) of such Act (42 U.S.C. 12571(f)(1)) of such Act is amended by striking subparagraphs (A), (B) and (C) and inserting the following:

''(A) increase the number of positions to 250,000 per year by fiscal year 2023; and

''(B) ensure that the increase described in subparagraph (A) is achieved through an appropriate balance of full- and part-time service positions;''.

(b) AMERICORPS NCCC.—Section 501(a)(3)(A) of such Act (42 U.S.C. 12681(a)(3)(A)) is amended by striking ''such sums as may be necessary for each of fiscal years 2010 through 2014.'' and inserting ''in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act an additional amount of $592,000,000 for fiscal year 2020.''.

(c) VOLUNTEER GENERATION FUND.—Section 501(a)(4) of such Act (42 U.S.C. 12681(a)(4)) is amended—

(1) in subparagraph (A), by striking ''for each of fiscal years 2010 through 2014'' and inserting ''for fiscal year 2020''; and

(2) in subparagraph (F), by striking ''section 198P—'' and all that follows and inserting ''in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, an additional amount of $50,000,000 for fiscal year 2020.''.

(d) ADMINISTRATION BY THE CORPORATION AND STATE COMMISSIONS.—Section 501(a)(5) of such Act (42 U.S.C. 12681(a)(5)) is amended—

(1) in subparagraph (A), by striking ''such sums as may be necessary for each of fiscal years 2010 through 2014.'' and inserting ''in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, an additional amount of $754,000,000 for fiscal year 2020.'';

(2) in subparagraph (B), by striking ''for a fiscal year, a portion'' and inserting ''a portion (from the amounts appropriated under subparagraph (A) before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, and an additional portion of $158,000,000,''; and

(3) by adding at the end the following new subparagraph:

''(C) OUTREACH AND PROMOTION CAMPAIGN FOR COVID–19 RESPONSE OPPORTUNITIES.—Of the amounts appropriated under subparagraph (A), $10,000,000 shall be made available to carry out an outreach and promotion campaign under section 193A(g)(4).''.

(e) AMERICORPS VISTA.—Section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081) is amended—

(1) in subsection (a)(1), by striking ''$100,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014.'' and inserting '', in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, an additional amount of $1,100,000,000 for fiscal year 2020.''; and

(2) in subsection (d), by striking the period and inserting '', except that any additional amount appropriated under an amendment made by the Cultivating Opportunity and Response to the Pandemic through Service Act shall remain available for obligation through fiscal year 2023.''.

(f) NATIONAL SENIOR SERVICE CORPS.—Section 502 of such Act (42 U.S.C. 5082) is amended by adding at the end the following:

''(e) ONLINE SERVICE RESOURCES.—There are authorized to be appropriated, to develop online service resources to carry out parts A, B, C, and E of title II, $5,000,000 for fiscal year 2020.''.

SEC. __10. TABLE OF CONTENTS.

(a) NCSA.—The table of contents in section 1(b) of the National Community Service Act of 1990 is amended—

(1) by striking the item relating to section 154 and inserting the following:

''Sec. 154. Seasonal national summer program.'';

(2) by striking the item relating to section 189A and inserting the following:

''Sec. 189A. Matching requirements for severely economically distressed communities; matching funds during COVID–19 response and recovery period.'';

and

(3) by striking the item relating to the title heading for title IV and all that follows through the item relating to section 401 and inserting the following:

''TITLE IV—RESPONSE PROJECTS

''Sec. 401. Projects honoring victims of terrorist attacks.

''Sec. 402. COVID–19 emergency response and recovery period augmentation and expansion grants.''.

(b) DVSA.—The table of contents in section 1(b) of the National Community Service Act of 1990 is amended—

(1) in the items relating to part D of title II, by adding at the end the following:

''Sec. 229. COVID–19 emergency response and recovery period.'';

(2) by inserting after the item relating to the title heading for title IV the following:

''Sec. 401. Definitions.'';

and

(3) by striking the item relating to section 421 and inserting the following:

''Sec. 421. Online service platform.''.

SA 2626. 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:

At the appropriate place, insert the following:

SEC. ___. TEMPORARY SUSPENSION OF DUTIES ON ARTICLES NEEDED TO COMBAT THE COVID–19 PANDEMIC.

(a) IN GENERAL.—An article described in subsection (b) entered, or withdrawn from warehouse for consumption, during the period specified in subsection (c) shall enter the United States free of duty, including free of any duty that may be imposed as a penalty or otherwise imposed in addition to other duties, including any duty imposed pursuant to—

(1) section 301 of the Trade Act of 1974 (19 U.S.C. 2411);

(2) section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862); or

(3) the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(b) ARTICLES DESCRIBED.—An article is described in this subsection if the article is classified under any of the following statistical reporting numbers of the Harmonized Tariff Schedule of the United States or is identified by the United States International Trade Commission, after the date of the enactment of this Act, as an article related to the response to the COVID–19 pandemic:

2207.10.6090	3824.99.9295	7613.00.0000
2208.90.8000	3824.99.9297	8419.20.0010
2804.40.0000	3923.21.0095	8419.20.0020
2847.00.0000	3923.29.0000	8421.39.8040
3002.13.0000	3926.20.1010	8705.90.0000
3002.14.0000	3926.20.1020	8713.10.0000
3002.15.0000	3926.20.9010	8713.90.0030
3002.19.0000	3926.20.9050	8713.90.0060
3002.20.0000	3926.90.9910	9004.90.0000
3003.10.0000	3926.90.9990	9018.11.3000
3003.20.0000	3926.90.9996	9018.11.6000
3003.60.0000	4015.11.0110	9018.11.9000
3003.90.0100	4015.11.0150	9018.12.0000
3004.10.1020	4015.19.0510	9018.19.4000
3004.10.1045	4015.19.0550	9018.19.5500
3004.10.5045	4015.19.1010	9018.19.7500
3004.10.5060	4015.90.0010	9018.31.0040
3004.20.0020	4015.90.0050	9018.31.0080
3004.20.0030	4818.50.0000	9018.31.0090
3004.20.0060	4818.90.0000	9018.32.0000
3004.49.0060	6116.10.6500	9018.39.0020
3004.60.0000	6210.10.2000	9018.39.0040
3004.90.1000	6210.10.5000	9018.39.0050
3004.90.9210	6210.10.9010	9018.90.3000
3004.90.9285	6210.10.9040	9018.90.7580
3004.90.9290	6210.50.3500	9018.90.8000
3005.10.5000	6210.50.7500	9019.20.0000
3005.90.5090	6216.00.5420	9020.00.6000
3006.70.0000	6307.90.6090	9020.00.9000
3401.11.5000	6307.90.6800	9022.12.0000
3401.19.0000	6307.90.7200	9025.19.8040
3401.20.0000	6307.90.8910	9025.19.8080
3808.94.1000	6307.90.9889	9026.80.4000
3808.94.5000	6505.00.0100	9027.80.2500
3821.00.0000	6505.00.8015	9027.80.4530
3822.00.1090	6505.00.9089	9028.20.0000

3822.00.5090	7311.00.0090	9402.90.0010
3822.00.6000	7324.90.0000	9402.90.0020

(c) PERIOD SPECIFIED.—The period specified in this subsection is the period—

(1) beginning on the date that is 15 days after the date of the enactment of this Act; and

(2) ending on December 31, 2022.

SA 2627. Mr. GRASSLEY (for himself, Mr. DAINES, and Ms. MCSALLY) 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. ___. PROMOTING QUALITY OF LIFE FOR RESIDENTS OF LONG-TERM CARE FACILITIES DURING THE COVID–19 EMERGENCY PERIOD.

(a) IN GENERAL.—Sections 1819(c)(3) and 1919(c)(3) of the Social Security Act (42 U.S.C. 1395i–3(c)(3), 1396r(c)(3)) are each amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) provide for the use by residents of a telecommunications device and the Internet, including assistance from facility staff in the use of such technology, if necessary or requested by the resident or the resident's representative, or the long-term care ombudsman of a State, to support telecommunication during the emergency period described in section 1135(g)(1)(B)(relating to the 2019 Novel Coronavirus), such as audio, visual, text communication, videoconference, and two-way audio/video options, by residents of such facility with family members and other individuals.''.

(b) ACCESS DURING THE COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—

(1) LONG-TERM CARE FACILITIES.—Not later than 30 days after the date of enactment of this Act, the Secretary shall take steps necessary to ensure that the residents of each participating provider and of other long-term care facilities designated by the Secretary have access to the devices, Internet, and assistance necessary to support the televisitation practices described in sections 1819(c)(3)(F) and 1919(c)(3)(F) of the Social Security Act, as added by subsection (a), during the COVID–19 public health emergency period.

(2) NOTIFICATION REQUIREMENTS.—In carrying out the amendments made by subsection (a) and paragraph (1) of this subsection, the Secretary shall address—

(A) notification to residents, representatives and family members of residents, and the long-term care ombudsman of each State, of access to such televisitation;

(B) how participating providers will ensure or enable installation and access to a device purchased by, or for the use or benefit of, individual residents; and

(C) operational issues or other barriers to ensure timely resident access to the deployment of such televisitation.

(c) FUNDING.—

(1) ESTABLISHMENT OF TELEVISITATION FUND.—There is established in the Treasury of the United States a fund, to be known as the ''Televisitation Fund'' (referred to in this section as the ''Fund''), to be administered by the Secretary.

(2) TRANSFERS.—Beginning on the date of enactment of this Act and ending on September 30, 2022, and in a manner consistent with section 3302(b) of title 31, there shall be transferred to the Fund from the General Fund of the Treasury, an amount that is not less than—

(A) $50,000,000, if such sums are appropriated by Congress for the Telehealth Resource Center of the Federal Office of Rural Health Policy of the Office for the Advancement of Telehealth to promote the development of televisitation for participating providers, which shall remain available through September 30, 2021; or

(B) in the event that appropriated funds are not available under subparagraph (A), 30 percent of the amount of assessments collected under section 1128A of the Social Security Act (42 U.S.C. 1320a–7a), which shall remain available until expended.

(3) USE OF FUNDS.—

(A) IN GENERAL.—From amounts in the Fund, in addition to any other amounts available, and without further appropriation, the Secretary shall, during each of fiscal years 2020 and 2021, use amounts available in the Fund to award televisitation grants to participating providers and, to the extent appropriated funding is available, other long-term care facilities designated by the Secretary to receive such grants. The Secretary shall use amounts in the Fund only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal, State, and local sources to promote televisitation, and not to supplant such funds.

(B) GRANTS.—Of the amounts in the Fund used under subparagraph (A), not less than $25,000,000, if such amounts are available in the Fund during fiscal year 2020 or 2021, shall be used for grants to address technical, service delivery, operational, or other related barriers to the timely deployment of televisitation in participating providers, including with respect to addressing inadequate access to broadband and necessary staff to facilitate the use of televisitation, telecommunications devices, or other items or services as necessary to implement such televisitation.

(d) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(2) LONG-TERM CARE FACILITY.—The term ''long-term care facility'' has the meaning given that term in section 2011(15) of the Social Security Act (42 U.S.C. 1397j(15)).

(3) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(4) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(7) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(8) TELEVISITATION.—The term ''televisitation'' means telecommunication, including but not limited to audio, visual, text communication, video conference, and two-way audio/video options, by residents of a participating provider with other individuals.

SA 2628. Mr. GRASSLEY submitted an amendment intended to be proposed by him 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. ___. EMERGENCY SUPPORT AND COVID–19 PROTECTIONS FOR NURSING HOMES.

(a) ESTABLISHING COVID–19 STRIKE TEAMS FOR NURSING FACILITIES.—

(1) IN GENERAL.—The Secretary is authorized to establish and support the operation of strike teams comprised of individuals with relevant skills, qualifications, and experience to respond to COVID–19-related crises in participating providers during the COVID–19 public health emergency period, based on data reported by such providers to the Centers for Disease Control and Prevention.

(2) MISSION AND COMPOSITION OF STRIKE TEAMS.—

(A) IN GENERAL.—Strike teams established by the Secretary may include assessment, testing, and clinical teams, and a mission for each such team may include performing medical examinations, conducting COVID–19 testing, and assisting participating providers with the implementation of infection control practices (such as quarantine, isolation, or disinfection procedures).

(B) LETTER OF AUTHORIZATION.—Strike teams and members of such teams shall be subject to the Secretary's oversight and direction and the Secretary may issue a letter of authorization to team members describing—

(i) the individual's designation to serve on 1 or more teams under an emergency proclamation by the Secretary;

(ii) the mission of the team;

(iii) the authority of the individual to perform the team mission;

(iv) the individual's authority to access places, persons, and materials necessary for the team member's performance of the team's mission;

(v) the requirement that team members maintain the confidentiality of patient information shared with such individuals by a participating provider; and

(vi) the required security background checks that the individual has passed.

(C) SECRETARIAL OVERSIGHT.—The Secretary may, at any time, disband any strike team and rescind the letter of authorization for any team member.

(D) TEAM AND MEMBER AUTHORITY.—A team and team member may not use the letter of authorization described in subparagraph (B) for any purpose except in connection with the team's mission of acting in good faith to promote resident and employee safety in participating providers in which COVID–19 is confirmed to be present.

(E) ADMINISTRATION.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, may

establish protocols and procedures for requesting the assistance of a strike team established under this subsection and any other procedures deemed necessary for the team's operation.

(F) SUPPLEMENTATION OF OTHER RESPONSE EFFORTS.—Strike teams established by the Secretary under this subsection shall supplement and not supplant response efforts carried out by a State strike team or a technical assistance team established by the Secretary during the COVID-19 public health emergency period.

(b) PROMOTING COVID–19 TESTING AND INFECTION CONTROL IN NURSING FACILITIES.—

(1) NURSING HOME PROTECTIONS.—The Secretary, in consultation with the Elder Justice Coordinating Council established under section 2021 of the Social Security Act (42 U.S.C. 1397k), is authorized during the COVID–19 public health emergency period to enhance efforts by participating providers to respond to COVID–19, including through—

(A) development of online training courses for personnel of participating providers, survey agencies, the long-term care ombudsman of each State, and other individuals to facilitate the implementation of paragraph (2);

(B) enhanced diagnostic testing of visitors to, personnel of, and residents of, participating providers in which measures of COVID–19 in the community support more frequent testing for COVID–19;

(C) development of training materials for personnel of participating providers, the long-term care ombudsman of each State, and representatives and family members of residents; and

(D) providing support to participating providers in areas deemed by the Secretary to require additional assistance due to the presence COVID–19 infections.

(2) TRAINING ON BEST PRACTICES IN INFECTION CONTROL AND PREVENTION.—

(A) IN GENERAL.—The Secretary shall develop training courses on infection control and prevention, including cohorting, strategies and use of telehealth to mitigate the transmission of COVID–19 in participating providers during the COVID–19 public health emergency period.

(B) DEVELOPMENT.—To the extent practicable, the training programs developed by the Secretary under this subsection shall use best practices in infection control and prevention.

(C) COORDINATION WITH OTHER FEDERAL ENTITIES.—The Secretary shall seek input as appropriate on the training courses developed under this subsection from the Elder Justice Coordinating Council and the Director of the Centers for Disease Control and Prevention.

(D) INTERACTIVE WEBSITE.—The Secretary is authorized to create an interactive website to disseminate training materials and related information in the areas of infection control and prevention, for purposes of carrying out this subsection during the COVID–19 public health emergency period.

(c) PROMOTING TRANSPARENCY IN COVID–19 REPORTING BY NURSING FACILITIES AND LONG-TERM CARE FACILITIES.—

(1) COLLECTION AND REPORTING OF STAFFING DATA BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall develop a plan for ensuring that participating providers resume compliance with the requirement, under section 1128I(g) of the Social Security Act (42 U.S.C. 1320a–7j(g)), to electronically submit direct care staffing information based on payroll and other auditable data (including measures to ensure that the submitted data includes direct care staffing information for the entire duration of the COVID–19 emergency period).

(2) COLLECTION AND REPORTING OF DATA RELATED TO COVID–19 BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall ensure that participating providers and long-term care facilities report all suspected and confirmed cases of COVID–19 among personnel and residents of the provider or facility, all COVID–19-related fatalities among personnel and residents of the provider or facility, and all fatalities among personnel and residents of the provider or facility, whether related to COVID–19 or unrelated to COVID–19, for the period beginning on January 1, 2020, to the Secretary.

(3) REPORTING OF NURSING FACILITY DATA RELATED TO COVID–19 BY THE SECRETARY.—Not later than 10 days after the date of enactment of this Act, and at least weekly thereafter during the COVID–19 public health emergency period, the Secretary shall provide the Governor of each State with a list of all participating providers in the State with respect to which the reported cases of COVID–19 in visitors to, personnel of, and residents of, such providers increased during the previous week (or, in the case of the first such list, during the 10-day period beginning on the date of enactment of this Act).

(4) CONFIDENTIALITY.—Any information reported under this subsection that is made available to the public shall be made so available in a manner that protects the identity of residents of participating providers and long-term care facilities.

(d) EXTENDING ELDER JUSTICE ACT PROTECTIONS DURING THE COVID–19 EMERGENCY PERIOD.—

(1) LONG-TERM CARE OMBUDSMAN PROGRAM GRANTS AND TRAINING.—Section 2043 of the Social Security Act (42 U.S.C. 1397m–2) is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2)(D))'' before the semicolon; and

(ii) in paragraph (2)—

(iii) in subparagraph (B), by striking ''and'' after the semicolon;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) for the emergency period described in section 1135(g)(1)(B), $12,000,000.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2))'' before the period; and

(ii) in paragraph (2), by inserting before the period the following: '', and for the emergency period described in section 1135(g)(1)(B), $12,000,000''.

(2) ELDER JUSTICE COORDINATING COUNCIL.—

(A) MEMBERSHIP.—Section 2021(b)(1) of the Social Security Act (42 U.S.C. 1397k(b)(1)) is amended—

(i) by redesignating subparagraph (C) as subparagraph (D); and

(ii) by inserting after subparagraph (B), the following:

''(C) The Administrator of the Federal Emergency Management Agency.''.

(B) DUTIES.—Section 2021(f)(1) of such Act (42 U.S.C. 1397k(f)(1)) is amended by inserting ''the Federal Emergency Management Agency,'' after ''Justice,''.

(3) ADULT PROTECTIVE SERVICES FUNCTIONS AND GRANT PROGRAMS.—Section 2042 of the Social Security Act (42 U.S.C. 1397m–1) is amended—

(A) in subsection (a)(2), by inserting '', and $5,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014'';

(B) in subsection (b)(5), by inserting '', and $150,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''; and

(C) in subsection (c)(6), by inserting '', and $30,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''.

(4) TECHNICAL AMENDMENT.—Section 2011(12)(A) of the Social Security Act (42 U.S.C. 1397j(12)(A)) is amended by striking ''450b'' and inserting ''5304''.

(e) REDUCING RACIAL DISPARITIES IN NURSING FACILITIES DURING THE COVID–19 EMERGENCY.—

(1) TASK FORCE.—The Secretary shall establish a task force, to be known as the ''Ethnic and Racial Disparities in Nursing Facilities Task Force'' (referred to in this subsection as the ''task force''), to gather data on racial and ethnic disparities in participating providers during the COVID-19 public health emergency period and provide recommendations to Federal, State, local, and Tribal policymakers on ways to reduce such disparities.

(2) MEMBERSHIP.—The task force shall be composed of the Secretary, the Surgeon General, other Federal, State, and local government officials, and individuals appointed by the Secretary with firsthand knowledge of, or expertise relating to, disparities in access to quality care for residents of participating providers who are members of racial or ethnic minority groups. In appointing such individuals, the Secretary shall ensure the individuals appointed provide ample representation with respect to the demographics of residents and caregivers of such participating providers, particularly with respect to residents and caregivers of such facilities who are members of racial or ethnic minority groups.

(3) ADMINISTRATION.—

(A) CHAIRPERSON.—The Secretary shall serve as the chairperson of the task force. The Surgeon General shall serve as the vice chairperson.

(B) STAFF.—The task force shall have 2 full-time staff members.

(C) MEETINGS.—The task force shall convene at least monthly, with the first meeting to occur within 60 days after the enactment of this Act.

(4) REPORTING AND RECOMMENDATIONS.—

(A) MONTHLY REPORTS.—Not later than 45 days after the 1st meeting of the task force, and monthly thereafter, the task force shall submit to Congress and the Federal Emergency Management Agency a report that includes—

(i) recommended methodologies for improving Federal data collection on resident outcomes in participating providers with disproportionately high rates of admission of individuals who are members of racial or ethnic minority groups;

(ii) the identification of participating providers evidencing racial or ethnic disparities in psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse rates, neglect rates, fatality rates, and any additional areas, as determined by the task force based on available public health data (or, if no such data are available, on the basis of such other publicly available data or information as the task force may determine);

(iii) the identification of factors, including Federal and State policies, that have contributed to racial or ethnic health disparities in resident outcomes in participating providers, and actions Congress (and if appropriate, other entities) can take to address these factors; and

(iv) recommendations for best practices to promote improvements in participating providers evidencing racial or ethnic disparities

in psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse and neglect rates, fatality rates, or any additional areas determined by the task force.

(B) CONSULTATION WITH INDIAN TRIBES.—In submitting reports and recommendations under this paragraph, the task force shall consult with Indian Tribes and Tribal organizations.

(C) SUNSET.—The task force shall terminate on December 31, 2022.

(f) ACHIEVING SAVINGS IN HEALTH CARE PROGRAMS BY REDUCING IMPROPER PRESCRIBING OF CONTROLLED SUBSTANCES.—

(1) IN GENERAL.—Within 120 days of enactment of this Act and annually thereafter, the Secretary shall report all Medicare revocation actions or preclusion list placements to the Drug Enforcement Administration that are based totally or in part on the improper prescribing, administering, or dispensing of controlled substances.

(2) DEFINITIONS.—The terms used in this subsection shall have the meaning given such terms in section 102 of the Controlled Substances Act (42 U.S.C. 802). For purposes of paragraph (1), the ''improper prescribing, administering, or dispensing of controlled substances'' includes doing so in any of the following respects:

(A) In excessive quantities.

(B) For other than a legitimate medical purpose or outside the usual course of professional practice.

(C) Beyond the scope of the practitioner's DEA registration.

(D) In any other manner not permitted by the Controlled Substances Act (21 U.S.C. 801 et. seq.).

(3) ACCESS TO EVIDENCE.—When making the reports required under paragraph (1), the Secretary shall provide the Drug Enforcement Administration with any relevant records or other evidence that Drug Enforcement Administration requests for purposes of carrying out its functions under the Controlled Substances Act. The Drug Enforcement Administration may use any such information or other evidence provided by the Secretary for the purposes of any criminal, civil, or administrative proceeding arising out the Controlled Substances Act.

(g) FUNDING.—

(1) CARES ACT.—-The Secretary may use amounts appropriated for COVID–19 response and related activities pursuant to the CARES Act (Public Law 116–136) and subsequently enacted legislation to carry out this section and the amendments made by this section.

(2) PREVENTION AND PUBLIC HEALTH FUND.—The Secretary may use amounts in the Prevention and Public Health Fund, established under section 4002 of the Patient Protection and Affordable Care Act of 2010, to carry out this section and the amendments made by this section, including by providing financial assistance to participating providers as appropriate for implementation of the requirements of this section and the amendments made by this section.

(h) DEFINITIONS.—In this section:

(1) COVID–19.—The term ''COVID–19'' means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(3) LONG-TERM CARE FACILITY.—The term ''long-term care facility'' has the meaning given that term in section 2011(15) of the Social Security Act (42 U.S.C. 1397j(15)).

(4) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(5) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(7) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(8) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

SA 2629. Mr. GRASSLEY (for himself, Mr. DAINES, and Ms. MCSALLY) submitted an amendment intended to be proposed by him 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. ___. PROMOTING QUALITY OF LIFE FOR RESIDENTS OF LONG-TERM CARE FACILITIES DURING THE COVID–19 EMERGENCY PERIOD.

(a) IN GENERAL.—Sections 1819(c)(3) and 1919(c)(3) of the Social Security Act (42 U.S.C. 1395i–3(c)(3), 1396r(c)(3)) are each amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) provide for the use by residents of a telecommunications device and the Internet, including assistance from facility staff in the use of such technology, if necessary or requested by the resident or the resident's representative, or the long-term care ombudsman of a State, to support telecommunication during the emergency period described in section 1135(g)(1)(B)(relating to the 2019 Novel Coronavirus), such as audio, visual, text communication, videoconference, and two-way audio/video options, by residents of such facility with family members and other individuals.''.

(b) ACCESS DURING THE COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—

(1) LONG-TERM CARE FACILITIES.—Not later than 30 days after the date of enactment of this Act, the Secretary shall take steps necessary to ensure that the residents of each participating provider and of other long-term care facilities designated by the Secretary have access to the devices, Internet, and assistance necessary to support the televisitation practices described in sections 1819(c)(3)(F) and 1919(c)(3)(F) of the Social Security Act, as added by subsection (a), during the COVID–19 public health emergency period.

(2) NOTIFICATION REQUIREMENTS.—In carrying out the amendments made by subsection (a) and paragraph (1) of this subsection, the Secretary shall address—

(A) notification to residents, representatives and family members of residents, and the long-term care ombudsman of each State, of access to such televisitation;

(B) how participating providers will ensure or enable installation and access to a device purchased by, or for the use or benefit of, individual residents; and

(C) operational issues or other barriers to ensure timely resident access to the deployment of such televisitation.

(c) FUNDING.—

(1) ESTABLISHMENT OF TELEVISITATION FUND.—There is established in the Treasury of the United States a fund, to be known as the ''Televisitation Fund'' (referred to in this section as the ''Fund''), to be administered by the Secretary.

(2) TRANSFERS.—Beginning on the date of enactment of this Act and ending on September 30, 2022, and in a manner consistent with section 3302(b) of title 31, there shall be transferred to the Fund from the General Fund of the Treasury, an amount that is not less than—

(A) $50,000,000, if such sums are appropriated by Congress for the Telehealth Resource Center of the Federal Office of Rural Health Policy of the Office for the Advancement of Telehealth to promote the development of televisitation for participating providers, which shall remain available through September 30, 2021; or

(B) in the event that appropriated funds are not available under subparagraph (A), 30 percent of the amount of assessments collected under section 1128A of the Social Security Act (42 U.S.C. 1320a–7a), which shall remain available until expended.

(3) USE OF FUNDS.—

(A) IN GENERAL.—From amounts in the Fund, in addition to any other amounts available, and without further appropriation, the Secretary shall, during each of fiscal years 2020 and 2021, use amounts available in the Fund to award televisitation grants to participating providers and, to the extent appropriated funding is available, other long-term care facilities designated by the Secretary to receive such grants. The Secretary shall use amounts in the Fund only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal, State, and local sources to promote televisitation, and not to supplant such funds.

(B) GRANTS.—Of the amounts in the Fund used under subparagraph (A), not less than $25,000,000, if such amounts are available in the Fund during fiscal year 2020 or 2021, shall be used for grants to address technical, service delivery, operational, or other related barriers to the timely deployment of televisitation in participating providers, including with respect to addressing inadequate access to broadband and necessary staff to facilitate the use of televisitation, telecommunications devices, or other items or services as necessary to implement such televisitation.

(d) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(2) LONG-TERM CARE FACILITY.—The term ''long-term care facility'' has the meaning given that term in section 2011(15) of the Social Security Act (42 U.S.C. 1397j(15)).

(3) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in

section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(4) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(7) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(8) TELEVISITATION.—The term ''televisitation'' means telecommunication, including but not limited to audio, visual, text communication, video conference, and two-way audio/video options, by residents of a participating provider with other individuals.

SA 2630. Mr. GRASSLEY 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. ___. EMERGENCY SUPPORT AND COVID–19 PROTECTIONS FOR NURSING HOMES.

(a) ESTABLISHING COVID–19 STRIKE TEAMS FOR NURSING FACILITIES.—

(1) IN GENERAL.—The Secretary is authorized to establish and support the operation of strike teams comprised of individuals with relevant skills, qualifications, and experience to respond to COVID–19-related crises in participating providers during the COVID–19 public health emergency period, based on data reported by such providers to the Centers for Disease Control and Prevention.

(2) MISSION AND COMPOSITION OF STRIKE TEAMS.—

(A) IN GENERAL.—Strike teams established by the Secretary may include assessment, testing, and clinical teams, and a mission for each such team may include performing medical examinations, conducting COVID–19 testing, and assisting participating providers with the implementation of infection control practices (such as quarantine, isolation, or disinfection procedures).

(B) LETTER OF AUTHORIZATION.—Strike teams and members of such teams shall be subject to the Secretary's oversight and direction and the Secretary may issue a letter of authorization to team members describing—

(i) the individual's designation to serve on 1 or more teams under an emergency proclamation by the Secretary;

(ii) the mission of the team;

(iii) the authority of the individual to perform the team mission;

(iv) the individual's authority to access places, persons, and materials necessary for the team member's performance of the team's mission;

(v) the requirement that team members maintain the confidentiality of patient information shared with such individuals by a participating provider; and

(vi) the required security background checks that the individual has passed.

(C) SECRETARIAL OVERSIGHT.—The Secretary may, at any time, disband any strike team and rescind the letter of authorization for any team member.

(D) TEAM AND MEMBER AUTHORITY.—A team and team member may not use the letter of authorization described in subparagraph (B) for any purpose except in connection with the team's mission of acting in good faith to promote resident and employee safety in participating providers in which COVID–19 is confirmed to be present.

(E) ADMINISTRATION.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, may establish protocols and procedures for requesting the assistance of a strike team established under this subsection and any other procedures deemed necessary for the team's operation.

(F) SUPPLEMENTATION OF OTHER RESPONSE EFFORTS.—Strike teams established by the Secretary under this subsection shall supplement and not supplant response efforts carried out by a State strike team or a technical assistance team established by the Secretary during the COVID-19 public health emergency period.

(b) PROMOTING COVID–19 TESTING AND INFECTION CONTROL IN NURSING FACILITIES.—

(1) NURSING HOME PROTECTIONS.—The Secretary, in consultation with the Elder Justice Coordinating Council established under section 2021 of the Social Security Act (42 U.S.C. 1397k), is authorized during the COVID–19 public health emergency period to enhance efforts by participating providers to respond to COVID–19, including through—

(A) development of online training courses for personnel of participating providers, survey agencies, the long-term care ombudsman of each State, and other individuals to facilitate the implementation of paragraph (2);

(B) enhanced diagnostic testing of visitors to, personnel of, and residents of, participating providers in which measures of COVID–19 in the community support more frequent testing for COVID–19;

(C) development of training materials for personnel of participating providers, the long-term care ombudsman of each State, and representatives and family members of residents; and

(D) providing support to participating providers in areas deemed by the Secretary to require additional assistance due to the presence COVID–19 infections.

(2) TRAINING ON BEST PRACTICES IN INFECTION CONTROL AND PREVENTION.—

(A) IN GENERAL.—The Secretary shall develop training courses on infection control and prevention, including cohorting, strategies and use of telehealth to mitigate the transmission of COVID–19 in participating providers during the COVID–19 public health emergency period.

(B) DEVELOPMENT.—To the extent practicable, the training programs developed by the Secretary under this subsection shall use best practices in infection control and prevention.

(C) COORDINATION WITH OTHER FEDERAL ENTITIES.—The Secretary shall seek input as appropriate on the training courses developed under this subsection from the Elder Justice Coordinating Council and the Director of the Centers for Disease Control and Prevention.

(D) INTERACTIVE WEBSITE.—The Secretary is authorized to create an interactive website to disseminate training materials and related information in the areas of infection control and prevention, for purposes of carrying out this subsection during the COVID–19 public health emergency period.

(c) PROMOTING TRANSPARENCY IN COVID–19 REPORTING BY NURSING FACILITIES AND LONG-TERM CARE FACILITIES.—

(1) COLLECTION AND REPORTING OF STAFFING DATA BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall develop a plan for ensuring that participating providers resume compliance with the requirement, under section 1128I(g) of the Social Security Act (42 U.S.C. 1320a–7j(g)), to electronically submit direct care staffing information based on payroll and other auditable data (including measures to ensure that the submitted data includes direct care staffing information for the entire duration of the COVID–19 emergency period).

(2) COLLECTION AND REPORTING OF DATA RELATED TO COVID–19 BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall ensure that participating providers and long-term care facilities report all suspected and confirmed cases of COVID–19 among personnel and residents of the provider or facility, all COVID–19-related fatalities among personnel and residents of the provider or facility, and all fatalities among personnel and residents of the provider or facility, whether related to COVID–19 or unrelated to COVID–19, for the period beginning on January 1, 2020, to the Secretary.

(3) REPORTING OF NURSING FACILITY DATA RELATED TO COVID–19 BY THE SECRETARY.—Not later than 10 days after the date of enactment of this Act, and at least weekly thereafter during the COVID–19 public health emergency period, the Secretary shall provide the Governor of each State with a list of all participating providers in the State with respect to which the reported cases of COVID–19 in visitors to, personnel of, and residents of, such providers increased during the previous week (or, in the case of the first such list, during the 10-day period beginning on the date of enactment of this Act).

(4) CONFIDENTIALITY.—Any information reported under this subsection that is made available to the public shall be made so available in a manner that protects the identity of residents of participating providers and long-term care facilities.

(d) EXTENDING ELDER JUSTICE ACT PROTECTIONS DURING THE COVID–19 EMERGENCY PERIOD.—

(1) LONG-TERM CARE OMBUDSMAN PROGRAM GRANTS AND TRAINING.—Section 2043 of the Social Security Act (42 U.S.C. 1397m–2) is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2)(D))'' before the semicolon; and

(ii) in paragraph (2)—

(iii) in subparagraph (B), by striking ''and'' after the semicolon;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) for the emergency period described in section 1135(g)(1)(B), $12,000,000.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2))'' before the period; and

(ii) in paragraph (2), by inserting before the period the following: '', and for the emergency period described in section 1135(g)(1)(B), $12,000,000''.

(2) ELDER JUSTICE COORDINATING COUNCIL.—

(A) MEMBERSHIP.—Section 2021(b)(1) of the Social Security Act (42 U.S.C. 1397k(b)(1)) is amended—

(i) by redesignating subparagraph (C) as subparagraph (D); and

(ii) by inserting after subparagraph (B), the following:

''(C) The Administrator of the Federal Emergency Management Agency.''.

(B) DUTIES.—Section 2021(f)(1) of such Act (42 U.S.C. 1397k(f)(1)) is amended by inserting ''the Federal Emergency Management Agency,'' after ''Justice,''.

(3) ADULT PROTECTIVE SERVICES FUNCTIONS AND GRANT PROGRAMS.—Section 2042 of the Social Security Act (42 U.S.C. 1397m–1) is amended—

(A) in subsection (a)(2), by inserting '', and $5,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014'';

(B) in subsection (b)(5), by inserting '', and $150,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''; and

(C) in subsection (c)(6), by inserting '', and $30,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''.

(4) TECHNICAL AMENDMENT.—Section 2011(12)(A) of the Social Security Act (42 U.S.C. 1397j(12)(A)) is amended by striking ''450b'' and inserting ''5304''.

(e) REDUCING RACIAL DISPARITIES IN NURSING FACILITIES DURING THE COVID–19 EMERGENCY.—

(1) TASK FORCE.—The Secretary shall establish a task force, to be known as the ''Ethnic and Racial Disparities in Nursing Facilities Task Force'' (referred to in this subsection as the ''task force''), to gather data on racial and ethnic disparities in participating providers during the COVID-19 public health emergency period and provide recommendations to Federal, State, local, and Tribal policymakers on ways to reduce such disparities.

(2) MEMBERSHIP.—The task force shall be composed of the Secretary, the Surgeon General, other Federal, State, and local government officials, and individuals appointed by the Secretary with firsthand knowledge of, or expertise relating to, disparities in access to quality care for residents of participating providers who are members of racial or ethnic minority groups. In appointing such individuals, the Secretary shall ensure the individuals appointed provide ample representation with respect to the demographics of residents and caregivers of such participating providers, particularly with respect to residents and caregivers of such facilities who are members of racial or ethnic minority groups.

(3) ADMINISTRATION.—

(A) CHAIRPERSON.—The Secretary shall serve as the chairperson of the task force. The Surgeon General shall serve as the vice chairperson.

(B) STAFF.—The task force shall have 2 full-time staff members.

(C) MEETINGS.—The task force shall convene at least monthly, with the first meeting to occur within 60 days after the enactment of this Act.

(4) REPORTING AND RECOMMENDATIONS.—

(A) MONTHLY REPORTS.—Not later than 45 days after the 1st meeting of the task force, and monthly thereafter, the task force shall submit to Congress and the Federal Emergency Management Agency a report that includes—

(i) recommended methodologies for improving Federal data collection on resident outcomes in participating providers with disproportionately high rates of admission of individuals who are members of racial or ethnic minority groups;

(ii) the identification of participating providers evidencing racial or ethnic disparities in psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse rates, neglect rates, fatality rates, and any additional areas, as determined by the task force based on available public health data (or, if no such data are available, on the basis of such other publicly available data or information as the task force may determine);

(iii) the identification of factors, including Federal and State policies, that have contributed to racial or ethnic health disparities in resident outcomes in participating providers, and actions Congress (and if appropriate, other entities) can take to address these factors; and

(iv) recommendations for best practices to promote improvements in participating providers evidencing racial or ethnic disparities in psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse and neglect rates, fatality rates, or any additional areas determined by the task force.

(B) CONSULTATION WITH INDIAN TRIBES.—In submitting reports and recommendations under this paragraph, the task force shall consult with Indian Tribes and Tribal organizations.

(C) SUNSET.—The task force shall terminate on December 31, 2022.

(f) ACHIEVING SAVINGS IN HEALTH CARE PROGRAMS BY REDUCING IMPROPER PRESCRIBING OF CONTROLLED SUBSTANCES.—

(1) IN GENERAL.—Within 120 days of enactment of this Act and annually thereafter, the Secretary shall report all Medicare revocation actions or preclusion list placements to the Drug Enforcement Administration that are based totally or in part on the improper prescribing, administering, or dispensing of controlled substances.

(2) DEFINITIONS.—The terms used in this subsection shall have the meaning given such terms in section 102 of the Controlled Substances Act (42 U.S.C. 802). For purposes of paragraph (1), the ''improper prescribing, administering, or dispensing of controlled substances'' includes doing so in any of the following respects:

(A) In excessive quantities.

(B) For other than a legitimate medical purpose or outside the usual course of professional practice.

(C) Beyond the scope of the practitioner's DEA registration.

(D) In any other manner not permitted by the Controlled Substances Act (21 U.S.C. 801 et. seq.).

(3) ACCESS TO EVIDENCE.—When making the reports required under paragraph (1), the Secretary shall provide the Drug Enforcement Administration with any relevant records or other evidence that Drug Enforcement Administration requests for purposes of carrying out its functions under the Controlled Substances Act. The Drug Enforcement Administration may use any such information or other evidence provided by the Secretary for the purposes of any criminal, civil, or administrative proceeding arising out the Controlled Substances Act.

(g) FUNDING.—

(1) CARES ACT.—-The Secretary may use amounts appropriated for COVID–19 response and related activities pursuant to the CARES Act (Public Law 116–136) and subsequently enacted legislation to carry out this section and the amendments made by this section.

(2) PREVENTION AND PUBLIC HEALTH FUND.—The Secretary may use amounts in the Prevention and Public Health Fund, established under section 4002 of the Patient Protection and Affordable Care Act of 2010, to carry out this section and the amendments made by this section, including by providing financial assistance to participating providers as appropriate for implementation of the requirements of this section and the amendments made by this section.

(h) DEFINITIONS.—In this section:

(1) COVID–19.—The term ''COVID–19'' means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(3) LONG-TERM CARE FACILITY.—The term ''long-term care facility'' has the meaning given that term in section 2011(15) of the Social Security Act (42 U.S.C. 1397j(15)).

(4) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(5) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(7) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(8) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

SA 2631. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 2542 submitted by Mr. CRAPO and intended to be proposed to the 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:

On page 4, strike line 1 and all that follows through page 5, line 23.

SA 2632. Mr. CRAMER submitted an amendment intended to be proposed by him 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. ____. REAL ACT OF 2020.

(a) SHORT TITLE.—This section may be cited as the ''Restoring Education And Learning Act of 2020'' or the ''REAL Act of 2020''.

(b) REINSTATEMENT OF FEDERAL PELL GRANT ELIGIBILITY.—Section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)) is amended—

(1) by striking paragraph (6);

(2) by redesignating paragraph (7) as paragraph (6); and

(3) in paragraph (2)(A)(ii), by striking ''(7)(B)'' and inserting ''(6)(B)''.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall be effective for academic year 2020–2021 and succeeding academic years.

SA 2633. Mr. WICKER (for himself, Mr. RUBIO, Mr. BLUNT, Mrs. BLACKBURN, Ms. COLLINS, Mr. CORNYN, Mrs. HYDE-SMITH, Mr. CASSIDY, and Mr. GRAHAM) submitted an amendment intended to be proposed by him 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:

TITLE ____—CORPS ACT

SEC. ___ 1. SHORT TITLE.—

This title may be cited as the ''Cultivating Opportunity and Response to the Pandemic through Service Act'' or the ''CORPS Act''.

SEC. ___2. FINDINGS.

Congress finds the following:

(1) The United States has a strong history of citizen response to national calls to service in order to help the Nation recover in times of crisis.

(2) More than 80 years ago, the Nation rose to the challenge of the Great Depression with the creation of citizen service programs like the Civilian Conservation Corps (referred to in this section as the ''CCC'') and the Works Progress Administration (referred to in this section as the ''WPA'').

(3) Millions of participants benefitted from paid employment and opportunities to develop their skills while constructing national parks and public lands infrastructure and producing cultural works still enjoyed today.

(4) Following decades of evolution, incorporating policies of both political parties, today's national service programs carry on the legacy of the CCC and WPA.

(5) Founded in 1990, the Corporation for National and Community Service today coordinates national service by individuals in the United States across every State and territory, partnering with State-level commissions and supporting locally driven services in partnership with nongovernmental organizations and State governments.

(6) National service programs provide public health, education, employment training, and nutrition services for which the Nation has a critical need in the current crisis.

(7) The signature programs of the Corporation for National and Community Service, which are the AmeriCorps State and National, AmeriCorps National Civilian Community Corps, AmeriCorps VISTA, and National Senior Service Corps programs, can and should be expanded to meet current needs.

(8) The novel coronavirus pandemic has infected and killed individuals in every State and territory, causing more than 2,000,000 cases and 115,000 deaths so far.

(9) In response, States, tribal governments, and cities across the country have closed down businesses, schools, and public events, leading to a dramatic drop in economic activity and a sharp projected decline in the United States economy.

(10) More than 40,000,000 applications for unemployment benefits have been filed in recent weeks, with weekly filings repeatedly exceeding historic record levels.

(11) More than 1 in every 10 adults in the United States has applied for unemployment insurance since the crisis began.

(12) The pandemic and the associated economic consequences have disproportionately impacted people of color across many States.

(13) To recover, the Nation also needs meaningful employment opportunities, as well as a significant expansion of the human capital working to address community needs around public health, behavioral health, hunger, education, and conservation.

(14) Experience has demonstrated the centrality of community participation in pandemic response, to overcome stigma and structural barriers and meet the full needs of all members of a diverse community.

(15) As the Nation works to respond to and recover from the current twin challenges of a public health pandemic and an economic crisis, national service presents a unique opportunity for flexible, locally driven responses to meet State and local public health, employment, and recovery needs.

SEC. ___3. PURPOSES.

The purposes of this title are—

(1) to provide for annual growth of 250,000 participants, over 3 years, in national service programs, such as the Public Land Corps (also known as the 21st Century Conservation Service Corps) programs and other AmeriCorps programs, that will provide services in response to the pandemic and economic crisis;

(2) to ensure that participant allowances cover the reasonable cost of participation and provide participants with economic and educational opportunity;

(3) to stabilize such national service programs during economic crisis; and

(4) to support opportunities for all individuals in the United States to engage in service.

SEC. ___4. DEFINITIONS.

(a) NCSA.—Section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511) is amended—

(1) by redesignating paragraphs (13) through (16), (17) through (35), and (36) through (49), as paragraphs (14) through (17), (19) through (37), and (39) through (52), respectively;

(2) by inserting after paragraph (12) the following:

''(13) COVID–19 DEFINITIONS.—

''(A) COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—The term 'COVID–19 emergency response and recovery period' means the period beginning on the first day of the COVID–19 public health emergency and ending at the end of fiscal year 2023.

''(B) COVID–19 PUBLIC HEALTH EMERGENCY.—The term 'COVID–19 public health emergency' means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19.'';

(3) by inserting after paragraph (17), as so redesignated, the following:

''(18) HIGH-POVERTY AREA.—The term 'high -poverty area' means a census tract defined as high-poverty by the Bureau of the Census.''; and

(4) by inserting after paragraph (37), as so redesignated, the following:

''(38) PUBLIC LAND CORPS.—The term 'Public Lands Corps' means the Corps established in section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723).''.

(b) DVSA.—Section 421 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061) is amended—

(1) in paragraph (19), by striking ''and'' after the semicolon;

(2) in paragraph (20), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(21)(A) the term 'COVID–19 emergency response and recovery period' means the period beginning on the first day of the COVID–19 public health emergency and ending at the end of fiscal year 2023; and

''(B) the term 'COVID–19 public health emergency' means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19; and

''(22) the term 'Public Lands Corps' means the Corps established in section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723).''.

SEC. ___5. PRIORITIZING RESPONSE SERVICES.

(a) AMERICORPS STATE AND NATIONAL.—

(1) NATIONAL SERVICE PRIORITIES.—Section 122(f) of the National and Community Service Act of 1990 (42 U.S.C. 12572(f)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by adding at the end the following: ''For fiscal years 2020 through 2023, the Corporation shall include, in the national service priorities, the priorities described in paragraph (5).''; and

(ii) in subparagraph (B), by adding at the end the following: ''For fiscal years 2020 through 2023, each State shall include, in the State priorities, the priorities described in paragraph (5).''; and

(B) by adding at the end the following:

''(5) EMERGENCY PRIORITIES.—For fiscal years 2020 through 2023, the priorities established under paragraph (1) for national service programs shall provide that the Corporation and the States, as appropriate, shall give priority to entities submitting applications—

''(A) that propose activities directly related to the response to and recovery from the COVID–19 public health emergency, such as the provision of—

''(i) public health services, including support for isolation and quarantine activities;

''(ii) emergency logistics, such as the setup of alternate care sites;

''(iii) work that furthers the capacity of State (including territorial), tribal, and local health departments and the recommendations of the Director of the Centers for Disease Control and Prevention;

''(iv) work that furthers the capacity of nonprofit and community organizations to respond to the immediate needs of individuals affected by COVID–19;

''(v) services that support economic opportunity;

''(vi) education, including enrichment and adult education and literacy activities;

''(vii) services to address housing and food insecurity; and

''(viii) jobs for youth in preserving and restoring nature;

''(B) who—

''(i) are—

''(I) current (as of the date of the application submission) or former recipients of financial assistance under the program for which the application is submitted; and

''(II) able to provide services directly related to the response and recovery described in subparagraph (A); or

''(ii) are—

''(I) community-based organizations located in the rural or high-poverty areas, or tribal communities, the organizations propose to serve; and

''(II) able to provide services directly related to the response and recovery described in subparagraph (A);

''(C) to the maximum extent practicable—

''(i) if the entities are proposing programs that serve, or proposing to give priority for positions to applicants from, underserved populations, such as individuals described in section 129(a)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)(B)), minority individuals, individuals who have had contact with the juvenile justice system, Indians, veterans, and individuals whose abilities are not typical, such as individuals with intellectual or developmental disabilities;

''(ii) especially if the entities propose recruiting applicants for positions to serve in the same metropolitan or micropolitan statistical area or county as the area or county, respectively, in which the applicants attended a secondary school or institution of higher education; and

''(iii) especially if the entities propose programs that serve populations in rural or high-poverty areas, or tribal communities; and

''(D) that propose to give priority for positions to applicants who—

''(i) were serving outside of the United States in the Peace Corps, the J. William Fulbright Educational Exchange Program referenced in section 112 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460), or the program under this subtitle, subtitle E, or part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); but

''(ii) ended their terms of service early, or returned to the United States before the end of their terms of service, due to the COVID–19 public health emergency.''.

(b) AMERICORPS NCCC.—Section 157 of the National and Community Service Act of 1990 (42 U.S.C. 12617) is amended—

(1) in subsection (b)(1), by adding at the end the following:

''(C) SURGE CAPACITY AND PRIORITY PROJECTS.—

''(i) SURGE CAPACITY PROJECTS.—The Corporation and the Director of the Centers for Disease Control and Prevention shall develop, and the Corporation shall approve, a proposal for public health surge capacity projects. In carrying out the projects, the Corporation and the Director shall develop and deploy public health surge capacity teams.

''(ii) PRIORITY PROJECTS.—For fiscal years 2020 through 2023, the Corporation shall give priority to entities submitting applications for projects under this subtitle in the same manner as the Corporation gives priority to entities submitting applications for national service programs under section 122(f)(5).''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''The campus'' and inserting ''Except as provided in paragraph (3), the campus''; and

(B) by adding at the end the following:

''(3) SURGE CAPACITY AND PRIORITY PROJECTS.—The Corporation shall assign the projects described in clauses (i) and (ii) of subsection (b)(1)(C) to specified Corps campuses.''.

(c) AMERICORPS VISTA.—Section 109 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4960) is amended by adding at the end the following: ''For fiscal years 2020 through 2023, the Corporation shall give priority to entities submitting applications for projects or programs under this part in the same manner as the Corporation gives priority to entities submitting applications for national service programs under section 122(f)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12572(f)(5)).''.

SEC. 6. STRENGTHENING OPPORTUNITY.

(a) ALLOWANCES.—

(1) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b)) is amended by adding at the end the following:

''(4) Notwithstanding paragraph (2), during the COVID–19 emergency response and recovery period, the Director shall set the subsistence allowance for volunteers under paragraph (1) for each fiscal year so that—

''(A) the minimum allowance is not less than an amount equal to 175 percent of such poverty line (as defined in section 673(2) of the Community Services Block Grant Act) for a single individual as expected for each fiscal year; and

''(B) the average subsistence allowance, excluding allowances for Hawaii, Guam, American Samoa, and Alaska, is not less than 185 percent of such poverty line.

''(5)(A) A stipend or allowance under this section or an allowance under section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594) shall not be increased as a result of amendments made by the Cultivating Opportunity and Response to the Pandemic through Service Act, or any other amendment made to this section or that section 140, respectively, unless the funds appropriated for carrying out this part or subtitle C of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.), respectively, are sufficient to maintain for the fiscal year involved a number of participants to serve under this part or that subtitle C, respectively, that is at least equal to the number of such participants so serving during the preceding fiscal year.

''(B) In the event that sufficient appropriations for any fiscal year (consistent with subparagraph (A)) are not available to increase any stipend or allowance under this section or allowance under section 140 of the National and Community Service Act of 1990 to the minimum amount specified in this section or under that section 140, respectively, the Director shall increase the stipend or allowance involved to such amount as appropriations for such year permit consistent with subparagraph (A).''.

(2) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Section 158 of the National and Community Service Act of 1990 (42 U.S.C. 12618) is amended by adding at the end the following:

''(h) ADJUSTMENT TO MAXIMUM ALLOWANCE DURING COVID–19 RESPONSE AND RECOVERY PERIOD.—Notwithstanding the limitation on the allowance amount specified in subsection (b), during the COVID–19 emergency response and recovery period, the amount of the allowance that the Director shall establish pursuant to that subsection shall be any amount not in excess of the amount equal to 175 percent of the poverty line that is applicable to a family of 2 (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).''.

(b) NATIONAL SERVICE EDUCATIONAL AWARDS.—Section 147 of the National and Community Service Act of 1990 (42 U.S.C. 12603) is amended by adding at the end the following:

''(f) ADJUSTMENT TO EDUCATIONAL AWARD DURING THE COVID–19 RESPONSE AND RECOVERY.—

''(1) IN GENERAL.—Notwithstanding subsection (a), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position during the COVID–19 emergency response and recovery period shall receive a national service educational award having a value equal to twice the maximum amount of a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) that a student eligible for such Grant may receive in the aggregate (without regard to whether the funds are provided through discretionary or mandatory appropriations), for the award year for which the national service position is approved by the Corporation.

''(2) LESS THAN FULL-TIME SERVICE.—Notwithstanding subsections (b) and (c), an individual described in section 146(a) who successfully completes a required term of part-time national service in an approved national service position during the COVID–19 response and recovery period, or who is serving in an approved national service position and is released, during that period, in accordance with section 139(c)(1)(A) from completing the full-time or part-time term of service agreed to by the individual, shall receive that portion of the national service educational award calculated under paragraph (1) that corresponds to the quantity of the term of service actually completed by the individual.

''(3) DEFINITION.—In this subsection, the term 'institution of higher education' has the meaning given the term in section 148(h).''.

(c) TAX PROVISIONS.—

(1) INCOME TAX EXCLUSION FOR LIVING ALLOWANCE.—

(A) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139H the following new section:

''SEC. 139I. LIVING ALLOWANCE FOR NATIONAL SERVICE PARTICIPANTS.

''Gross income does not include the amount of any living allowance provided under section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b)) or section 140(a) or 158(b) of the National and Community Service Act of 1990 (42 U.S.C. 12594(a), 12618(b)).''.

(B) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 139H the following new item:

''Sec. 139I. Living allowance for national service participants.''.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to taxable years beginning after the date of the enactment of this Act.

(2) EXCLUSION FROM GROSS INCOME OF NATIONAL SERVICE EDUCATIONAL AWARDS.—

(A) IN GENERAL.—Section 117 of the Internal Revenue Code of 1986 (relating to qualified scholarships) is amended by adding at the end the following new subsection:

''(e) NATIONAL SERVICE EDUCATIONAL AWARDS.—Gross income shall not include any payments from the National Service Trust established under section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), including the national service educational award described in subtitle D of title I of such Act (42 U.S.C. 12601 et seq.).''.

(B) EXCLUSION OF DISCHARGE OF STUDENT LOAN DEBT.—Subsection (f) of section 108 of such Code is amended by adding at the end the following new paragraph:

''(6) PAYMENTS UNDER NATIONAL SERVICE EDUCATIONAL AWARD PROGRAMS.—In the case of an individual, gross income shall not include any amount received as a national service educational award under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).''.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 7. INVITING PARTICIPATION.

(a) COORDINATION WITH OTHER YOUTH PROGRAMS.—Section 193A of the National and Community Service Act of 1990 (42 U.S.C. 12651d) is amended by adding at the end the following:

''(j) COORDINATION WITH OTHER YOUTH PROGRAMS.—

''(1) COVERED PROGRAMS.—The term 'covered program' means—

''(A) the YouthBuild program carried out by the Secretary of Labor under section 171 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226);

''(B) the program of the Indian Youth Service Corps under section 210 of the Public Lands Corps Act of 1993 (16 U.S.C. 1727b);

''(C) a youth conservation corps program under title I of the Act entitled 'An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes', approved August 13, 1970 (commonly known as the 'Youth Conservation Corps Act of 1970'; 16 U.S.C. 1701 et seq.); and

''(D) the National Guard Youth Challenge Program under section 509 of title 32, United States Code.

''(2) COORDINATION.—The Chief Executive Officer, in coordination with the Federal agency representatives for covered programs, shall develop a plan and make recommendations in the plan to improve coordination between covered programs and programs of the Corporation to meet the needs of underserved youth, such as economically disadvantaged youth, minority youth, youth who left school without a secondary school diploma, formerly incarcerated or court-involved youth, youth who are children of an incarcerated parent, youth in foster care (including youth aging out of foster care), migrant youth, and other youth who are neither enrolled in secondary or postsecondary school or participating in the labor market.''.

(b) PLATFORM FOR NATIONAL SENIOR SERVICE CORPS.—Title IV of the Domestic Volunteer Service Act of 1973 is amended—

(1) by redesignating section 421 (42 U.S.C. 5061), as amended by section ___4(b), as section 401;

(2) by moving that section 401 so as to follow the title heading for title IV; and

(3) by inserting after section 420 (42 U.S.C. 5059) the following:

''SEC. 421. ONLINE SERVICE PLATFORM.

''(a) ESTABLISHMENT.—The Chief Executive Officer of the Corporation shall establish an online service platform with a gateway to connect volunteers in the National Senior Service Corps with service projects and enable the volunteers to carry out distance volunteer services. The platform shall be linked to and placed prominently on the website of the Corporation. The Corporation may enter into a contract with a public entity to create the platform.

''(b) TRAINING RESOURCES AND INFORMATION.—

''(1) IN GENERAL.—The Corporation shall provide training resources, information, and guidance for the volunteers on the platform.

''(2) INFORMATION.—The Corporation shall provide information to regional offices of the Corporation about how to get volunteers in the National Senior Service Corps connected to the platform through the gateway.

''(3) GUIDANCE.—The Corporation shall issue guidance for the regional offices about how to transfer the programs of the National Senior Service Corps to the platform.

''(4) OUTREACH.—The Corporation shall provide outreach services to promote the platform including outreach to institutions of higher education, the Department of Veterans Affairs for mentorship projects, and State and local governments for community engagement projects.''.

(c) OUTREACH AND PROMOTION CAMPAIGN.—Section 193A(g) of such Act is amended by adding at the end the following:

''(4) OUTREACH AND PROMOTION CAMPAIGN.—

''(A) IN GENERAL.—In carrying out public awareness functions under this subsection, the Corporation shall carry out an outreach and promotion campaign to promote programs under the national service laws with opportunities to respond to the COVID–19 public health emergency, with the goal of maximizing awareness of those programs among individuals ages 17 through 30.

''(B) REPORT.—The Corporation shall prepare and submit to Congress a report that—

''(i) evaluates the outreach and promotion campaign; and

''(ii) contains—

''(I) an analysis of the measures and resources that would be required for the Corporation effectively to notify individuals who are ages 17 through 30 every 2 years of opportunities under the national service laws and steps to take to apply for those opportunities;

''(II) a description of how the Corporation would ensure those measures would enable the Corporation to provide that notification to targeted individuals from diverse geographic areas, including individuals who are ages 17 through 30 living in rural or high-poverty areas, or tribal communities; and

''(III) a recommendation regarding whether the Corporation should make the notifications described in subclause (I).''.

(d) VOLUNTEER GENERATION FUND.—Section 198P(d)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12653p(d)(2)) is amended by adding at the end the following: ''With respect to grants made with funds appropriated as an additional amount under section 501(a)(4)(F), the minimum grant amount shall be not less than $250,000.''.

SEC. ___8. ENSURING AGILITY.

(a) WAIVER OF MATCHING FUNDS REQUIREMENTS.—Section 189A of the National and Community Service Act of 1990 (42 U.S.C. 12645d) is amended—

(1) in the section heading, by inserting ''**; MATCHING FUNDS DURING COVID–19 RESPONSE AND RECOVERY PERIOD**'' after ''**COMMUNITIES**''; and

(2) by adding at the end the following:

''(c) COVID–19 RESPONSE.—Notwithstanding any other provision of law, an entity that receives assistance from the Corporation for any program under the national service laws (including a State Commission and an entity receiving subgrant funds) during the COVID–19 emergency response and recovery period shall not be subject to any requirements to provide matching funds for any such program, and the Federal share of such assistance for a recipient (including for a State Commission and a subgrant recipient) may be 100 percent.''.

(b) PILOT PROGRAM.—Section 126 of the National and Community Service Act of 1990 (42 U.S.C. 12576) is amended by adding at the end the following:

''(d) DIRECT PLACEMENTS DURING THE COVID–19 RESPONSE AND RECOVERY PERIOD.—

''(1) IN GENERAL.—Notwithstanding section 178(h), during the COVID–19 emergency response and recovery period, the Corporation shall implement a pilot program allowing State Commissions to directly place a portion of individuals who have approved national service positions in State national service programs in a manner to be determined by the Corporation.

''(2) PRIORITIES.—State Commissions participating in the pilot program shall, to the extent practicable, prioritize the placement of individuals in national service programs that serve rural or high-poverty areas, or tribal communities, especially such programs carried out by entities that have not previously been service sponsors for participants.

''(3) REPORT.—The Corporation shall prepare and submit a report to Congress at the end of the pilot program described in paragraph (1), containing recommendations about whether and how to continue such a program of direct placements.''.

(c) NO SUMMER LIMITATION DURING COVID–19 RESPONSE AND RECOVERY PERIOD.—Section 104 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4954) is amended by adding at the end the following:

''(f)(1) Notwithstanding any other provision of this part, during the COVID–19 emergency response and recovery period, the Director may enroll full-time VISTA associates in a program, during any months of the year, under such terms and conditions as the Director shall determine to be appropriate. Such individuals shall be assigned to projects that address the needs of underserved communities as a result of the COVID–19 public health emergency.

''(2) In preparing reports relating to programs under this Act, the Director shall report on participants, costs, and accomplishments under the program under this subsection separately.

''(3) The limitation on funds appropriated for grants and contracts, as contained in section 108, shall not apply to the program under this subsection.''.

(d) VISTA LIMITATION APPLICABILITY.—Section 108 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4958) is amended—

(1) in subsection (a), by striking ''Of funds appropriated'' and inserting ''Subject to subsection (c), of funds appropriated''; and

(2) by adding at the end the following:

''(c) RULE FOR COVID–19 RESPONSE AND RECOVERY PERIOD.—Notwithstanding subsection (a), during the COVID–19 emergency response and recovery period, in order to address the needs of underserved communities related to the COVID–19 pandemic, of funds appropriated for the purpose of this part under section 501, not more than 75 percent may be obligated for the direct cost of supporting volunteers in programs and projects (including new programs and projects that begin after the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act) carried out pursuant to this part, and such funds may be obligated regardless of when grant recipients commenced such programs and projects.''.

(e) AUGMENTATION AND EXPANSION GRANTS.—Title IV of the National and Community Service Act of 1990 (42 U.S.C. 12671) is amended—

(1) by striking the title IV title heading and all that follows through the section heading for section 401 and inserting the following:

''TITLE IV—RESPONSE PROJECTS

''SEC. 401. PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS.'';

and

(2) by adding at the end the following:

''SEC. 402. COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD AUGMENTATION AND EXPANSION GRANTS.

''During the COVID–19 emergency response and recovery period, the Corporation may award noncompetitive augmentation and expansion grants, at such time and in such manner as the Corporation determines appropriate.''.

(f) TERM OF SERVICE DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Section 146 of the National and Community Service Act of 1990 (42 U.S.C. 12602) is amended by adding at the end the following:

''(g) TERM OF SERVICE DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Notwithstanding the aggregate value limit described in subsection (c), during the COVID–19 emergency response and recovery period, a participant who received 2 national service educational awards for terms of service concluding before the end of fiscal year

2020 may, as determined by the Corporation, be eligible for an additional term of service and, on the successful completion of that term, a third national service educational award.''.

(g) INCREASE IN LIMITATION ON GRANT AMOUNTS.—

(1) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT DURING EMERGENCY RESPONSE AND RECOVERY PERIOD.—Section 189 of the National and Community Service Act of 1990 (42 U.S.C. 12645c) is amended by adding at the end the following:

''(f) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Notwithstanding the limits described in subsections (a) and (e), during the COVID–19 emergency response and recovery period, the amount of funds approved by the Corporation for a grant to operate a program authorized under the national service laws, for supporting individuals serving in approved national service positions, may not exceed, for each full-time equivalent position—

''(1) an amount equal to the sum of—

''(A) $7,500; and

''(B) the living allowance established under section 140(a) (including any adjustment attributable to section 105(b)(4) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b))); or

''(2) for a grant for a program meeting the requirements described in subsection (e), an amount equal to the sum of—

''(A) $10,000; and

''(B) the living allowance established under section 140(a) (including any adjustment referred to in paragraph (1)(B)).''.

(2) WAIVER AUTHORITY FOR INCREASED LIMITATION.—Section 189(e)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12645c(e)(1)) is amended by striking ''$19,500'' and inserting ''an amount equal to the sum of $10,000 and the living allowance established under section 140(a) (including any adjustment referred to in subsection (f)(1)(B))''.

(h) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT FOR EDUCATIONAL AWARD ONLY PROGRAM DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Section 129A of the National and Community Service Act of 1990 (42 U.S.C. 12581a) is amended by adding at the end the following:

''(g) INCREASE IN LIMITATION ON TOTAL GRANT AMOUNT FOR EDUCATIONAL AWARD ONLY PROGRAM DURING COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.—Notwithstanding the limit described in subsection (b), during the COVID–19 emergency response and recovery period, the Corporation may provide the operational support under this section for a program in an amount that is not more than $1,600 per individual enrolled in an approved national service position, or not more than $2,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.''.

(i) SEASONAL PROGRAM.—

(1) ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.—Section 152(b)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12612(b)(2)) is amended by striking ''summer'' and inserting ''seasonal''.

(2) SEASONAL NATIONAL SERVICE PROGRAM.—Section 154 of the National and Community Service Act of 1990 (42 U.S.C. 12614) is amended—

(A) in the section heading by striking ''**SUMMER**'' and inserting ''**SEASONAL**'';

(B) in subsection (a), by striking ''summer'' and inserting ''seasonal'';

(C) in subsection (b), by striking ''50 percent of the participants in the summer'' and inserting ''35 percent of the participants in the seasonal''; and

(D) by striking subsection (c) and inserting the following:

''(c) SEASONAL PROGRAM.—Persons desiring to participate in the seasonal national service program shall enter into an agreement with the Director to participate in the Corps for a period of not less than 3 months and not more than 6 months, as specified by the Director.''.

(j) NATIONAL SENIOR SERVICE CORPS.—Part D of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5021 et seq.) is amended by adding at the end the following:

''SEC. 229. COVID–19 EMERGENCY RESPONSE AND RECOVERY PERIOD.

''(a) AGE REQUIREMENTS.—Notwithstanding section 201(a), during the COVID–19 emergency response and recovery period, in order to address the critical needs of local communities across the country as a result of the COVID–19 pandemic, individuals who are 45 years of age or older may be enrolled as volunteers to provide services under part A.

''(b) INCOME REQUIREMENTS.—Notwithstanding section 211(d), during the COVID–19 emergency response and recovery period, the terms 'low-income person' and 'person of low income' under such section shall mean any person whose income is not more than 400 percent of the poverty line defined in section 673(2) of the Community Services Block Grant (42 U.S.C. 9902(2)) and adjusted by the Director in the manner described in such section.''.

(k) FLEXIBILITY.—

(1) POLICY OF MAXIMIZING FLEXIBILITY.—It is the sense of the Senate that, in carrying out activities under this title, the Corporation for National and Community Service should, consistent with the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) and the National and Community Service Act of 1990 (42 U.S.C. 12501), maximize the flexibility of State Commissions (as defined in section 101 of such Act (42 U.S.C. 12511)) to award and amend grants, consistent with the purposes of this title, and to rapidly enroll new individuals to serve in programs under the national service laws.

(2) REPORT ON ACTIVITIES TO MAXIMIZE FLEXIBILITY.—Not later than 120 days after the date of enactment of this Act, and in consultation with such State Commissions, the Chief Executive Officer of the Corporation for National and Community Service shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report containing recommendations on what additional actions to maximize flexibility for such State Commissions would strengthen the work of State Commissions and their grantees.

(l) FURTHER EXPEDITING RAPID ENROLLMENT.—Not later than 90 days after the date of enactment of this Act, the Chief Executive Officer of the Corporation for National and Community Service shall review the Corporation's capacity and 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 containing information about whether a new unit within the Corporation for National and Community Service should be established to provide additional assistance or manage the enrollment process to ensure compliance with sections 189D and 199I of the National and Community Service Act of 1990 (42 U.S.C. 12645g; 12655i) for incoming participants in national service programs, particularly new national service programs receiving program assistance for the first time.

SEC. ___9. AUTHORIZATIONS OF APPROPRIATIONS.

(a) AMERICORPS STATE AND NATIONAL; EDUCATIONAL AWARDS.—

(1) IN GENERAL.—Section 501(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(2)) is amended by striking ''fiscal years 2010 through 2014'' and all that follows and inserting ''fiscal year 2020, in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, additional amounts of—

''(A) $10,300,000,000, to provide financial assistance under subtitle C of title I; and

''(B) $3,659,000,000, to provide national service educational awards under subtitle D of title I for the total of the number of participants described in section 121(f)(1) for fiscal years 2020 through 2023.''.

(2) CONFORMING AMENDMENT.—Section 121(f)(1) of such Act (42 U.S.C. 12571(f)(1)) of such Act is amended by striking subparagraphs (A), (B) and (C) and inserting the following:

''(A) increase the number of positions to 250,000 per year by fiscal year 2023; and

''(B) ensure that the increase described in subparagraph (A) is achieved through an appropriate balance of full- and part-time service positions;''.

(b) AMERICORPS NCCC.—Section 501(a)(3)(A) of such Act (42 U.S.C. 12681(a)(3)(A)) is amended by striking ''such sums as may be necessary for each of fiscal years 2010 through 2014.'' and inserting ''in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act an additional amount of $592,000,000 for fiscal year 2020.''.

(c) VOLUNTEER GENERATION FUND.—Section 501(a)(4) of such Act (42 U.S.C. 12681(a)(4)) is amended—

(1) in subparagraph (A), by striking ''for each of fiscal years 2010 through 2014'' and inserting ''for fiscal year 2020''; and

(2) in subparagraph (F), by striking ''section 198P—'' and all that follows and inserting ''in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, an additional amount of $50,000,000 for fiscal year 2020.''.

(d) ADMINISTRATION BY THE CORPORATION AND STATE COMMISSIONS.—Section 501(a)(5) of such Act (42 U.S.C. 12681(a)(5)) is amended—

(1) in subparagraph (A), by striking ''such sums as may be necessary for each of fiscal years 2010 through 2014.'' and inserting ''in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, an additional amount of $754,000,000 for fiscal year 2020.'';

(2) in subparagraph (B), by striking ''for a fiscal year, a portion'' and inserting ''a portion (from the amounts appropriated under subparagraph (A) before the date of enactment of the Cultivating Opportunity and Response to the Pandemic through Service Act, and an additional portion of $158,000,000,''; and

(3) by adding at the end the following new subparagraph:

''(C) OUTREACH AND PROMOTION CAMPAIGN FOR COVID–19 RESPONSE OPPORTUNITIES.—Of the amounts appropriated under subparagraph (A), $10,000,000 shall be made available to carry out an outreach and promotion campaign under section 193A(g)(4).''.

(e) AMERICORPS VISTA.—Section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081) is amended—

(1) in subsection (a)(1), by striking ''$100,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014.'' and inserting '', in addition to any amount appropriated before the date of enactment of the Cultivating Opportunity and Response to the Pandemic

through Service Act, an additional amount of $1,100,000,000 for fiscal year 2020.''; and

(2) in subsection (d), by striking the period and inserting '', except that any additional amount appropriated under an amendment made by the Cultivating Opportunity and Response to the Pandemic through Service Act shall remain available for obligation through fiscal year 2023.''.

(f) NATIONAL SENIOR SERVICE CORPS.—Section 502 of such Act (42 U.S.C. 5082) is amended by adding at the end the following:

''(e) ONLINE SERVICE RESOURCES.—There are authorized to be appropriated, to develop online service resources to carry out parts A, B, C, and E of title II, $5,000,000 for fiscal year 2020.''.

SEC. __10. TABLE OF CONTENTS.

(a) NCSA.—The table of contents in section 1(b) of the National Community Service Act of 1990 is amended—

(1) by striking the item relating to section 154 and inserting the following:

''Sec. 154. Seasonal national summer program.'';

(2) by striking the item relating to section 189A and inserting the following:

''Sec. 189A. Matching requirements for severely economically distressed communities; matching funds during COVID–19 response and recovery period.'';

and

(3) by striking the item relating to the title heading for title IV and all that follows through the item relating to section 401 and inserting the following:

''TITLE IV—RESPONSE PROJECTS

''Sec. 401. Projects honoring victims of terrorist attacks.

''Sec. 402. COVID–19 emergency response and recovery period augmentation and expansion grants.''.

(b) DVSA.—The table of contents in section 1(b) of the National Community Service Act of 1990 is amended—

(1) in the items relating to part D of title II, by adding at the end the following:

''Sec. 229. COVID–19 emergency response and recovery period.'';

(2) by inserting after the item relating to the title heading for title IV the following:

''Sec. 401. Definitions.'';

and

(3) by striking the item relating to section 421 and inserting the following:

''Sec. 421. Online service platform.''.

SA 2634. Mr. WICKER submitted an amendment intended to be proposed by him 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. _____. CREDIT FOR AMERICAN INFRASTRUCTURE BONDS ALLOWED TO ISSUERS.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by inserting after section 6430 the following new section:

''SEC. 6431. CREDIT TO ISSUER OF AMERICAN INFRASTRUCTURE BONDS.

''(a) IN GENERAL.—The issuer of an American infrastructure bond shall be allowed a credit with respect to each interest payment under such bond which shall be payable by the Secretary as provided in subsection (b).

''(b) PAYMENT OF CREDIT.—

''(1) IN GENERAL.—The Secretary shall pay (contemporaneously with each interest payment date under such bond) to the issuer of such bond (or to any person who makes such interest payments on behalf of the issuer) the applicable percentage of the interest payable under such bond on such date.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage shall be equal to—

''(A) in the case of any American infrastructure bond issued before January 1, 2026, 35 percent, and

''(B) in the case of any American infrastructure bond issued after December 31, 2025, 28 percent.

''(3) INTEREST PAYMENT DATE.—For purposes of this subsection, the term 'interest payment date' means each date on which the holder of record of the American infrastructure bond is entitled to a payment of interest under such bond.

''(c) AMERICAN INFRASTRUCTURE BOND.—

''(1) IN GENERAL.—For purposes of this section, the term 'American infrastructure bond' means any obligation if—

''(A) the interest on such obligation would (but for this section) be excludable from gross income under section 103,

''(B) either—

''(i) the obligation is not a private activity bond, or

''(ii) the obligation is a private activity bond, but it is issued as part of an issue 95 percent or more of the net proceeds of which are to be used to finance or refinance property that meets the ownership test in section 145(a)(1), as applied by substituting '95 percent of the property' for 'all property', and

''(C) the issuer makes an irrevocable election to have this section apply.

''(2) APPLICABLE RULES.—For purposes of applying paragraph (1)—

''(A) for purposes of section 149(b), a bond shall not be treated as federally guaranteed by reason of the credit allowed under this section, and

''(B) a bond shall not be treated as an American infrastructure bond if the issue price has more than a de minimis amount (determined under rules similar to the rules of section 1273(a)(3)) of premium over the stated principal amount of the bond.

''(d) SPECIAL RULES.—

''(1) INTEREST ON AMERICAN INFRASTRUCTURE BONDS INCLUDIBLE IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES.—For purposes of this title, interest on any American infrastructure bond shall be includible in gross income.

''(2) APPLICATION OF ARBITRAGE RULES.—For purposes of section 148, the yield on an issue of American infrastructure bonds shall be reduced by the credit allowed under this section, except that no such reduction shall apply with respect to determining the amount of gross proceeds of an issue that qualifies as a reasonably required reserve or replacement fund.

''(e) REGULATIONS.—The Secretary may prescribe such regulations and other guidance as may be necessary or appropriate to carry out this section.''.

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for subchapter B of chapter 65 of subtitle F of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 6431. Credit to issuer of american infrastructure bonds.''.

(2) Subparagraph (A) of section 6211(b)(4) of such Code is amended by inserting ''6431,''after ''36B,''.

(c) TRANSITIONAL COORDINATION WITH STATE LAW.—Except as otherwise provided by a State after the date of the enactment of this Act, the interest on any American infrastructure bond (as defined in section 6431 of the Internal Revenue Code of 1986 (as added by this Act)) and the amount of any credit determined under such section with respect to such bond shall be treated for purposes of the income tax laws of such State as being exempt from Federal income tax.

(d) ADJUSTMENT TO PAYMENT TO ISSUERS IN CASE OF SEQUESTRATION.—

(1) IN GENERAL.—In the case of any payment under subsection (b) of section 6431 of the Internal Revenue Code of 1986 (as added by this Act) made after the date of enactment of this Act to which sequestration applies, the amount of such payment shall be increased to an amount equal to—

(A) such payment (determined before such sequestration), multiplied by

(B) the quotient obtained by dividing the number 1 by the amount by which the number 1 exceeds the percentage reduction in such payment pursuant to such sequestration.

(2) SEQUESTRATION.—For purposes of this subsection, the term ''sequestration'' means any reduction in direct spending ordered in accordance with a sequestration report prepared by the Director of the Office and Management and Budget pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or the Statutory Pay-As-You-Go Act of 2010 or future legislation having similar effect.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of enactment of this Act.

SA 2635. Mr. WICKER (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. PERDUE, Mr. BOOZMAN, Mr. MORAN, and Ms. MURKOWSKI) 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. _____. REINSTATEMENT OF ADVANCE REFUNDING BONDS.

(a) IN GENERAL.—The amendments made by section 13532 of Public Law 115-97 are repealed and the provisions of law amended by such section are restored as if such section had never been enacted.

(b) EFFECTIVE DATE.—The repeal made by this section shall take effect on the date of enactment of this Act.

SA 2636. Mr. MCCONNELL (for Mrs. FISCHER) proposed an amendment to the resolution S. Res. 659, designating September 2020 as ''School Bus Safety Month''; as follows:

In the sixth whereas clause of the preamble, strike ''school districts'' and insert ''schools''.

SA 2637. Mr. MCCONNELL (for Mr. THUNE) proposed an amendment to the joint resolution S.J. Res. 74, requesting the Secretary of the Interior to authorize a unique and 1-time arrangement for certain displays on Mount Rushmore National Memorial relating to the centennial of the ratification of the 19th Amendment to the Constitution of

the United States during the period beginning August 18, 2020, and ending on September 30, 2020; as follows:

On page 3, strike lines 17 and 18, and insert the following:

2020;

(2) encourages the Secretary of the Interior, in planning the event requested to be authorized under paragraph (1), to consult with the Director of the Centers for Disease Control and Prevention or a designee of the Director of the Centers for Disease Control and Prevention regarding precautions for events and large gatherings to limit the spread of COVID–19, including—

(A) clearly communicating the precautions in place to the public through signage;

(B) facilitating social distancing; and

(C) promoting safe hygiene practices for staff and visitors;

(3) requires the Secretary of the Interior, in carrying out the event requested to be authorized under paragraph (1), to adhere to, to the maximum extent practicable, any precautions recommended in the publication of the Centers for Disease Control and Prevention entitled ''Considerations for Events and Gatherings'' during that event; and

(4) respectfully requests that the Secretary of

SA 2638. Mr. MCCONNELL (for Mr. COONS) proposed an amendment to the concurrent resolution S. Con. Res. 37, honoring the life and work of Louis Lorenzo Redding, whose lifelong dedication to civil rights and service stand as an example of leadership for all people; as follows:

Strike the preamble and insert the following:

Whereas Louis Lorenzo Redding (referred to in this preamble as ''Louis L. Redding'') was born on October 25, 1901, in Alexandria, Virginia, the eldest of 5 children born to Lewis Alfred and Mary Ann Holmes Redding;

Whereas Louis L. Redding was an educator, attorney, and lifelong activist who worked on civil rights and educational issues;

Whereas Louis L. Redding graduated from Howard High School in 1919, which, at that time, was the only public high school for African-American students in Delaware;

Whereas Louis L. Redding received a bachelor's degree from Brown University in 1923;

Whereas, while at Brown University, Louis L. Redding and 7 other men established a chapter of the Alpha Phi Alpha fraternity in Providence, Rhode Island;

Whereas, in 1923, Louis L. Redding was the first African American awarded the prestigious William Gaston Prize for excellence in oratory and, as a result, delivered a commencement speech at Brown University;

Whereas Louis L. Redding became an English instructor and the vice principal of Fessenden Academy outside of Ocala, Florida, the oldest continuously operated school originally for African-American students in Florida;

Whereas Louis L. Redding left Fessenden Academy to teach English in the high school division of Morehouse College, a historically Black college in Atlanta, Georgia;

Whereas, after 2 years of teaching, Louis L. Redding enrolled in Harvard Law School in 1925;

Whereas, in 1926, as a law student at Harvard Law School, Louis L. Redding was ejected from the Wilmington, Delaware, municipal court while protesting segregation of the courtroom;

Whereas that municipal court was the first court in Wilmington, Delaware, to desegregate its gallery;

Whereas Louis L. Redding graduated from Harvard Law School in 1928 as the only African American in a class of about 200 students;

Whereas, in 1929, Louis L. Redding became the first African American to pass the Delaware bar;

Whereas Louis L. Redding remained the only African-American lawyer in Delaware for 26 years;

Whereas, in 1949, Louis L. Redding was admitted to the Delaware Bar Association, an organization from which Louis L. Redding had been excluded for 20 years after having passed the Delaware bar;

Whereas, in 1950, Louis L. Redding and Jack Greenberg, a lawyer for the NAACP Legal Defense and Educational Fund, filed the case of Parker v. University of Delaware to protest the segregated college system in Delaware;

Whereas, in August 1950, Chancellor Collins Seitz ruled in Parker v. University of Delaware, 75 A.2d 225 (Del. Ch. 1950), that, under Plessy v. Ferguson, 163 U.S. 537 (1896), the State of Delaware violated the Constitution of the United States by offering a separate but not equal education in the State college and university system;

Whereas, in 1951, Louis L. Redding and Jack Greenberg filed—

(1) Belton v. Gebhart, a case that concerned the desegregation of high schools; and

(2) Bulah v. Gebhart, a case that concerned the desegregation of elementary schools;

Whereas, in 1952, the Belton and Bulah cases were consolidated in the Delaware Court of Chancery, where, in Belton v. Gebhart, 87 A.2d 862 (Del. Ch. 1952), Chancellor Collins Seitz ordered the Delaware State Board of Education to open all schools in Delaware to African Americans;

Whereas the Delaware State Board of Education appealed the decision of Chancellor Collins Seitz to the Supreme Court of Delaware, which upheld the decision of the Chancellor in Gebhart v. Belton, 91 A.2d 137 (Del. 1952);

Whereas the case then came before the Supreme Court of the United States on a writ of certiorari to the Supreme Court of Delaware;

Whereas Louis L. Redding and Jack Greenberg argued the case alongside Thurgood Marshall, the first African-American Justice of the Supreme Court of the United States, as the last of a group of 5 school desegregation cases heard and decided by the Supreme Court of the United States in Brown v. Board of Education of Topeka, 347 U.S. 483 (1954), and Bolling v. Sharpe, 347 U.S. 497 (1954);

Whereas, on May 17, 1954, the Supreme Court of the United States held in Brown v. Board of Education of Topeka, 347 U.S. 483 (1954), that separate educational facilities for racial minorities violated the Equal Protection Clause of the 14th Amendment to the Constitution of the United States, thus holding that school segregation was unconstitutional;

Whereas, on February 21, 1961, Louis L. Redding argued to the Supreme Court of the United States in the case of Burton v. Wilmington Parking Authority that a private company with a relationship to a government agency was in violation of the Equal Protection Clause of the 14th Amendment to the Constitution of the United States if the private company refused to provide service to a customer on the basis of race;

Whereas, in April 1961, the Supreme Court of the United States established the principle of State action in Burton v. Wilmington Parking Authority, 365 U.S. 715 (1961), and ruled that a private entity may not discriminate on the basis of race if the State has approved, encouraged, or facilitated the relevant private conduct;

Whereas, in 1965, Louis L. Redding became a public defender for the State of Delaware and fought for the rights of poor clients for nearly 20 years thereafter;

Whereas, in 1984, Louis L. Redding retired after 55 years of practicing law;

Whereas Louis L. Redding was a member of many national organizations, including—

(1) the National Bar Association;

(2) the National Association for the Advancement of Colored People;

(3) the National Lawyers Guild; and

(4) the Emergency Civil Liberties Committee;

Whereas Louis L. Redding was awarded the Martin Luther King, Jr. Memorial Award by the National Education Association and an honorary Doctor of Law degree from Brown University;

Whereas the University of Delaware established the Louis L. Redding Chair for the Study of Law and Public Policy in the School of Education;

Whereas Pulitzer Prize winning author Richard Kluger described Louis L. Redding as a man who fought, largely alone, for the civil rights and liberties of Black Delawareans;

Whereas former Secretary of Transportation William T. Coleman, Jr., stated that the giants of the civil rights movement were Houston Hastings, Louis L. Redding, and Thurgood Marshall;

Whereas, on September 29, 1998, Louis L. Redding died at the age of 96 in Lima, Pennsylvania;

Whereas Louis L. Redding broke down barriers and paved the way for countless African-American lawyers to follow in his footsteps, including—

(1) Theophilus Nix, Sr., the second African American to pass the Delaware bar exam;

(2) Leonard L. Williams, the second African-American judge in Delaware; and

(3) Haile L. Alford, the first African-American female judge in Delaware; and

Whereas Louis L. Redding is remembered as an individual who figured prominently in the struggle for desegregation and as a lawyer who never lost a desegregation case: Now, therefore, be it

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SA 2639. Ms. MCSALLY (for herself and Mr. RISCH) 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. _____. NUCLEAR REGULATORY COMMISSION FEE WAIVER.

(a) IN GENERAL.—Notwithstanding the second and fourth provisos under the heading ''SALARIES AND EXPENSES'' under the heading ''NUCLEAR REGULATORY COMMISSION'' in title IV of division C of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 133 Stat. 2682), the first and second provisos under the heading ''OFFICE OF INSPECTOR GENERAL'' under the heading ''NUCLEAR REGULATORY COMMISSION'' in that title (133 Stat. 2683), and section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214), the total amount of revenues received by the Nuclear Regulatory Commission from licensing fees, inspection services, or other services and collections during fiscal year 2020 shall not exceed the total amount of those revenues received by the Nuclear Regulatory Commission prior to March 31, 2020.

(b) EMERGENCY REQUIREMENT DESIGNATION.—

(1) IN GENERAL.—Of the amounts appropriated for the Nuclear Regulatory Commission for fiscal year 2020 in the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 133 Stat. 2534), the amount described in paragraph (2) is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

(2) AMOUNT DESCRIBED.—The amount referred to in paragraph (1) is the difference between—

(A) $728,054,000; and

(B) the total amount of revenues described in subsection (a) received by the Nuclear Regulatory Commission prior to March 31, 2020.

(c) ADDITIONAL APPROPRIATIONS.—

(1) IN GENERAL.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2021—

(A) for an additional amount under the heading ''Nuclear Regulatory Commission—Salaries and Expenses'', $729,000,000, to become available on October 1, 2020, and to remain available until expended; and

(B) for an additional amount under the heading ''Nuclear Regulatory Commission—Office of Inspector General'', $11,000,000, to become available on October 1, 2020, and to remain available until September 30, 2022.

(2) LIMITATION.—The Nuclear Regulatory Commission shall not collect fees during fiscal year 2021 for licensing, inspection services, or other services and collections.

(3) EMERGENCY DESIGNATION.— The amounts made available under paragraph (1) are designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 2640. Mr. GRASSLEY submitted an amendment intended to be proposed by him 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. ___. EMERGENCY SUPPORT AND COVID–19 PROTECTIONS FOR NURSING HOMES.

(a) ESTABLISHING COVID–19 STRIKE TEAMS FOR NURSING FACILITIES.—

(1) IN GENERAL.—The Secretary is authorized to establish and support the operation of strike teams comprised of individuals with relevant skills, qualifications, and experience to respond to COVID–19-related crises in participating providers during the COVID–19 public health emergency period, based on data reported by such providers to the Centers for Disease Control and Prevention.

(2) MISSION AND COMPOSITION OF STRIKE TEAMS.—

(A) IN GENERAL.—Strike teams established by the Secretary may include assessment, testing, and clinical teams, and a mission for each such team may include performing medical examinations, conducting COVID–19 testing, and assisting participating providers with the implementation of infection control practices (such as quarantine, isolation, or disinfection procedures).

(B) LETTER OF AUTHORIZATION.—Strike teams and members of such teams shall be subject to the Secretary's oversight and direction and the Secretary may issue a letter of authorization to team members describing—

(i) the individual's designation to serve on 1 or more teams under an emergency proclamation by the Secretary;

(ii) the mission of the team;

(iii) the authority of the individual to perform the team mission;

(iv) the individual's authority to access places, persons, and materials necessary for the team member's performance of the team's mission;

(v) the requirement that team members maintain the confidentiality of patient information shared with such individuals by a participating provider; and

(vi) the required security background checks that the individual has passed.

(C) SECRETARIAL OVERSIGHT.—The Secretary may, at any time, disband any strike team and rescind the letter of authorization for any team member.

(D) TEAM AND MEMBER AUTHORITY.—A team and team member may not use the letter of authorization described in subparagraph (B) for any purpose except in connection with the team's mission of acting in good faith to promote resident and employee safety in participating providers in which COVID–19 is confirmed to be present.

(E) ADMINISTRATION.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, may establish protocols and procedures for requesting the assistance of a strike team established under this subsection and any other procedures deemed necessary for the team's operation.

(F) SUPPLEMENTATION OF OTHER RESPONSE EFFORTS.—Strike teams established by the Secretary under this subsection shall supplement and not supplant response efforts carried out by a State strike team or a technical assistance team established by the Secretary during the COVID-19 public health emergency period.

(b) PROMOTING COVID–19 TESTING AND INFECTION CONTROL IN NURSING FACILITIES.—

(1) NURSING HOME PROTECTIONS.—The Secretary, in consultation with the Elder Justice Coordinating Council established under section 2021 of the Social Security Act (42 U.S.C. 1397k), is authorized during the COVID–19 public health emergency period to enhance efforts by participating providers to respond to COVID–19, including through—

(A) development of online training courses for personnel of participating providers, survey agencies, the long-term care ombudsman of each State, and other individuals to facilitate the implementation of paragraph (2);

(B) enhanced diagnostic testing of visitors to, personnel of, and residents of, participating providers in which measures of COVID–19 in the community support more frequent testing for COVID–19;

(C) development of training materials for personnel of participating providers, the long-term care ombudsman of each State, and representatives and family members of residents; and

(D) providing support to participating providers in areas deemed by the Secretary to require additional assistance due to the presence COVID–19 infections.

(2) TRAINING ON BEST PRACTICES IN INFECTION CONTROL AND PREVENTION.—

(A) IN GENERAL.—The Secretary shall develop training courses on infection control and prevention, including cohorting, strategies and use of telehealth to mitigate the transmission of COVID–19 in participating providers during the COVID–19 public health emergency period.

(B) DEVELOPMENT.—To the extent practicable, the training programs developed by the Secretary under this subsection shall use best practices in infection control and prevention.

(C) COORDINATION WITH OTHER FEDERAL ENTITIES.—The Secretary shall seek input as appropriate on the training courses developed under this subsection from the Elder Justice Coordinating Council and the Director of the Centers for Disease Control and Prevention.

(D) INTERACTIVE WEBSITE.—The Secretary is authorized to create an interactive website to disseminate training materials and related information in the areas of infection control and prevention, for purposes of carrying out this subsection during the COVID–19 public health emergency period.

(c) PROMOTING TRANSPARENCY IN COVID–19 REPORTING BY NURSING FACILITIES AND LONG-TERM CARE FACILITIES.—

(1) COLLECTION AND REPORTING OF STAFFING DATA BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall develop a plan for ensuring that participating providers resume compliance with the requirement, under section 1128I(g) of the Social Security Act (42 U.S.C. 1320a–7j(g)), to electronically submit direct care staffing information based on payroll and other auditable data (including measures to ensure that the submitted data includes direct care staffing information for the entire duration of the COVID–19 emergency period).

(2) COLLECTION AND REPORTING OF DATA RELATED TO COVID–19 BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall ensure that participating providers and long-term care facilities report all suspected and confirmed cases of COVID–19 among personnel and residents of the provider or facility, all COVID–19-related fatalities among personnel and residents of the provider or facility, and all fatalities among personnel and residents of the provider or facility, whether related to COVID–19 or unrelated to COVID–19, for the period beginning on January 1, 2020, to the Secretary.

(3) REPORTING OF NURSING FACILITY DATA RELATED TO COVID–19 BY THE SECRETARY.—Not later than 10 days after the date of enactment of this Act, and at least weekly thereafter during the COVID–19 public health emergency period, the Secretary shall provide the Governor of each State with a list of all participating providers in the State with respect to which the reported cases of COVID–19 in visitors to, personnel of, and residents of, such providers increased during the previous week (or, in the case of the first such list, during the 10-day period beginning on the date of enactment of this Act).

(4) CONFIDENTIALITY.—Any information reported under this subsection that is made available to the public shall be made so available in a manner that protects the identity of residents of participating providers and long-term care facilities.

(d) EXTENDING ELDER JUSTICE ACT PROTECTIONS DURING THE COVID–19 EMERGENCY PERIOD.—

(1) LONG-TERM CARE OMBUDSMAN PROGRAM GRANTS AND TRAINING.—Section 2043 of the Social Security Act (42 U.S.C. 1397m–2) is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2)(D))'' before the semicolon; and

(ii) in paragraph (2)—

(iii) in subparagraph (B), by striking ''and'' after the semicolon;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) for the emergency period described in section 1135(g)(1)(B), $12,000,000.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2))'' before the period; and

(ii) in paragraph (2), by inserting before the period the following: '', and for the emergency period described in section 1135(g)(1)(B), $12,000,000''.

(2) ELDER JUSTICE COORDINATING COUNCIL.—

(A) MEMBERSHIP.—Section 2021(b)(1) of the Social Security Act (42 U.S.C. 1397k(b)(1)) is amended—

(i) by redesignating subparagraph (C) as subparagraph (D); and

(ii) by inserting after subparagraph (B), the following:

''(C) The Administrator of the Federal Emergency Management Agency.''.

(B) DUTIES.—Section 2021(f)(1) of such Act (42 U.S.C. 1397k(f)(1)) is amended by inserting ''the Federal Emergency Management Agency,'' after ''Justice,''.

(3) ADULT PROTECTIVE SERVICES FUNCTIONS AND GRANT PROGRAMS.—Section 2042 of the Social Security Act (42 U.S.C. 1397m–1) is amended—

(A) in subsection (a)(2), by inserting '', and $5,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014'';

(B) in subsection (b)(5), by inserting '', and $150,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''; and

(C) in subsection (c)(6), by inserting '', and $30,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''.

(4) TECHNICAL AMENDMENT.—Section 2011(12)(A) of the Social Security Act (42 U.S.C. 1397j(12)(A)) is amended by striking ''450b'' and inserting ''5304''.

(e) ADDRESSING RACIAL AND ETHNIC CORONAVIRUS DISPARITIES IN LONG-TERM CARE FACILITIES.—

(1) TASK FORCE.—The Secretary shall establish a task force, to be known as the ''Racial and Ethnic Coronavirus Disparities in Long-Term Care Facilities Task Force'' (referred to in this section as the ''task force''), to gather data and information on racial and ethnic disparities in long-term care facilities, during the public health emergency, and to provide recommendations to Federal, State, local, and Tribal policymakers on ways to eliminate health disparities and to improve the health of racial and ethnic minority populations residing in long-term care facilities.

(2) MEMBERSHIP.—The task force shall be composed of the Surgeon General, other Federal, State, and local government officials, and individuals appointed by the Surgeon General with firsthand knowledge of, or expertise relating to, disparities in access to quality care for residents of long-term care facilities who are members of racial or ethnic minority groups. In appointing such individuals, the Surgeon General, in consultation with the Director of the U.S. Department of Health and Human Services Office of Minority Health, shall ensure the individuals appointed provide ample representation with respect to the demographics of residents and caregivers of all long-term care facilities, during the COVID-19 public health emergency period particularly with respect to residents and caregivers of such facilities who are members of racial or ethnic minority groups, communities of color, and communities with preexisting health challenges or difficulties in accessing care.

(3) ADMINISTRATION.—

(A) CHAIRPERSON AND VICE CHAIRPERSON.—The Surgeon General shall serve as the chairperson of the task force. The Director of the Department's Office of Minority Health shall serve as the vice chairperson.

(B) STAFF.—The task force shall have at least 2 full-time staff members, with diverse and relevant experience, including, but not limited to academic, community, governmental, or vocational work. The staff members, in coordination with the Chairperson and Vice Chairperson shall appoint at least two representatives from the aging community to serve on the task force in addition to at least four representatives providing ample representation with respect to the demographics of residents and caregivers of all long-term care facilities, particularly with respect to members of racial or ethnic minority groups and communities of color, and communities with preexisting health challenges or difficulties in accessing care.

(C) MEETINGS.—The task force shall convene at least monthly, with the first meeting to occur within 60 days after the enactment of this Act.

(4) REPORTING AND RECOMMENDATIONS.—

(A) MONTHLY REPORTS.—Not later than 45 days after the 1st meeting of the task force, and monthly thereafter, the task force shall submit to Congress, the Centers for Medicare and Medicaid, and the Centers for Disease Control and Prevention a report that includes—

(i) recommended methodologies for improving Federal data collection, including transparent publication of such data and information on resident outcomes in long-term care facilities with disproportionately high rates of admission of individuals who are members of racial or ethnic minority groups;

(ii) the identification of long-term care facilities evidencing racial or ethnic disparities in COVID-19 cases and fatalities, psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse rates, neglect rates, fatality rates, and any additional areas, as determined by the task force based on available public health data (or, if no such data are available, on the basis of such other publicly available data or information as the task force may determine);

(iii) the identification of factors, including Federal and State policies, that have contributed to health disparities in resident outcomes in long-term care facilities, and actions Congress (and if appropriate, other entities) can take to address these factors; and

(iv) recommendations for best practices to eliminate health disparities and to improve the health of racial and ethnic minority populations in long-term care facilities, especially such facilities evidencing racial or ethnic disparities in COVID-19 cases and fatalities, psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse and neglect rates, fatality rates, or any additional areas determined by the task force.

(B) CONSULTATION WITH INDIAN TRIBES.—In submitting reports and recommendations under this subsection, the task force shall consult with Indian Tribes and Tribal organizations.

(C) SUNSET.—The task force shall terminate on December 31, 2022.

(f) ACHIEVING SAVINGS IN HEALTH CARE PROGRAMS BY REDUCING IMPROPER PRESCRIBING OF CONTROLLED SUBSTANCES.—

(1) IN GENERAL.—Within 120 days of enactment of this Act and annually thereafter, the Secretary shall report all Medicare revocation actions or preclusion list placements to the Drug Enforcement Administration that are based totally or in part on the improper prescribing, administering, or dispensing of controlled substances.

(2) DEFINITIONS.—The terms used in this subsection shall have the meaning given such terms in section 102 of the Controlled Substances Act (42 U.S.C. 802). For purposes of paragraph (1), the ''improper prescribing, administering, or dispensing of controlled substances'' includes doing so in any of the following respects:

(A) In excessive quantities.

(B) For other than a legitimate medical purpose or outside the usual course of professional practice.

(C) Beyond the scope of the practitioner's DEA registration.

(D) In any other manner not permitted by the Controlled Substances Act (21 U.S.C. 801 et. seq.).

(3) ACCESS TO EVIDENCE.—When making the reports required under paragraph (1), the Secretary shall provide the Drug Enforcement Administration with any relevant records or other evidence that Drug Enforcement Administration requests for purposes of carrying out its functions under the Controlled Substances Act. The Drug Enforcement Administration may use any such information or other evidence provided by the Secretary for the purposes of any criminal, civil, or administrative proceeding arising out the Controlled Substances Act.

(g) FUNDING.—

(1) CARES ACT.—-The Secretary may use amounts appropriated for COVID–19 response and related activities pursuant to the CARES Act (Public Law 116–136) and subsequently enacted legislation to carry out this section and the amendments made by this section.

(2) PREVENTION AND PUBLIC HEALTH FUND.—The Secretary may use amounts in the Prevention and Public Health Fund, established under section 4002 of the Patient Protection and Affordable Care Act of 2010, to carry out this section and the amendments made by this section, including by providing financial assistance to participating providers as appropriate for implementation of the requirements of this section and the amendments made by this section.

(h) DEFINITIONS.—In this section:

(1) COVID–19.—The term ''COVID–19'' means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(3) LONG-TERM CARE FACILITY.—The term ''long-term care facility'' has the meaning given that term in section 2011(15) of the Social Security Act (42 U.S.C. 1397j(15)).

(4) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(5) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(7) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(8) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

SA 2641. Mr. GRASSLEY 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. ___. EMERGENCY SUPPORT AND COVID–19 PROTECTIONS FOR NURSING HOMES.

(a) ESTABLISHING COVID–19 STRIKE TEAMS FOR NURSING FACILITIES.—

(1) IN GENERAL.—The Secretary is authorized to establish and support the operation of strike teams comprised of individuals with relevant skills, qualifications, and experience to respond to COVID–19-related crises in participating providers during the COVID–19 public health emergency period, based on data reported by such providers to the Centers for Disease Control and Prevention.

(2) MISSION AND COMPOSITION OF STRIKE TEAMS.—

(A) IN GENERAL.—Strike teams established by the Secretary may include assessment, testing, and clinical teams, and a mission for each such team may include performing medical examinations, conducting COVID–19 testing, and assisting participating providers with the implementation of infection control practices (such as quarantine, isolation, or disinfection procedures).

(B) LETTER OF AUTHORIZATION.—Strike teams and members of such teams shall be subject to the Secretary's oversight and direction and the Secretary may issue a letter of authorization to team members describing—

(i) the individual's designation to serve on 1 or more teams under an emergency proclamation by the Secretary;

(ii) the mission of the team;

(iii) the authority of the individual to perform the team mission;

(iv) the individual's authority to access places, persons, and materials necessary for the team member's performance of the team's mission;

(v) the requirement that team members maintain the confidentiality of patient information shared with such individuals by a participating provider; and

(vi) the required security background checks that the individual has passed.

(C) SECRETARIAL OVERSIGHT.—The Secretary may, at any time, disband any strike team and rescind the letter of authorization for any team member.

(D) TEAM AND MEMBER AUTHORITY.—A team and team member may not use the letter of authorization described in subparagraph (B) for any purpose except in connection with the team's mission of acting in good faith to promote resident and employee safety in participating providers in which COVID–19 is confirmed to be present.

(E) ADMINISTRATION.—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, may establish protocols and procedures for requesting the assistance of a strike team established under this subsection and any other procedures deemed necessary for the team's operation.

(F) SUPPLEMENTATION OF OTHER RESPONSE EFFORTS.—Strike teams established by the Secretary under this subsection shall supplement and not supplant response efforts carried out by a State strike team or a technical assistance team established by the Secretary during the COVID-19 public health emergency period.

(b) PROMOTING COVID–19 TESTING AND INFECTION CONTROL IN NURSING FACILITIES.—

(1) NURSING HOME PROTECTIONS.—The Secretary, in consultation with the Elder Justice Coordinating Council established under section 2021 of the Social Security Act (42 U.S.C. 1397k), is authorized during the COVID–19 public health emergency period to enhance efforts by participating providers to respond to COVID–19, including through—

(A) development of online training courses for personnel of participating providers, survey agencies, the long-term care ombudsman of each State, and other individuals to facilitate the implementation of paragraph (2);

(B) enhanced diagnostic testing of visitors to, personnel of, and residents of, participating providers in which measures of COVID–19 in the community support more frequent testing for COVID–19;

(C) development of training materials for personnel of participating providers, the long-term care ombudsman of each State, and representatives and family members of residents; and

(D) providing support to participating providers in areas deemed by the Secretary to require additional assistance due to the presence COVID–19 infections.

(2) TRAINING ON BEST PRACTICES IN INFECTION CONTROL AND PREVENTION.—

(A) IN GENERAL.—The Secretary shall develop training courses on infection control and prevention, including cohorting, strategies and use of telehealth to mitigate the transmission of COVID–19 in participating providers during the COVID–19 public health emergency period.

(B) DEVELOPMENT.—To the extent practicable, the training programs developed by the Secretary under this subsection shall use best practices in infection control and prevention.

(C) COORDINATION WITH OTHER FEDERAL ENTITIES.—The Secretary shall seek input as appropriate on the training courses developed under this subsection from the Elder Justice Coordinating Council and the Director of the Centers for Disease Control and Prevention.

(D) INTERACTIVE WEBSITE.—The Secretary is authorized to create an interactive website to disseminate training materials and related information in the areas of infection control and prevention, for purposes of carrying out this subsection during the COVID–19 public health emergency period.

(c) PROMOTING TRANSPARENCY IN COVID–19 REPORTING BY NURSING FACILITIES AND LONG-TERM CARE FACILITIES.—

(1) COLLECTION AND REPORTING OF STAFFING DATA BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall develop a plan for ensuring that participating providers resume compliance with the requirement, under section 1128I(g) of the Social Security Act (42 U.S.C. 1320a–7j(g)), to electronically submit direct care staffing information based on payroll and other auditable data (including measures to ensure that the submitted data includes direct care staffing information for the entire duration of the COVID–19 emergency period).

(2) COLLECTION AND REPORTING OF DATA RELATED TO COVID–19 BY NURSING FACILITIES DURING COVID–19 EMERGENCY PERIOD.—The Secretary shall ensure that participating providers and long-term care facilities report all suspected and confirmed cases of COVID–19 among personnel and residents of the provider or facility, all COVID–19-related fatalities among personnel and residents of the provider or facility, and all fatalities among personnel and residents of the provider or facility, whether related to COVID–19 or unrelated to COVID–19, for the period beginning on January 1, 2020, to the Secretary.

(3) REPORTING OF NURSING FACILITY DATA RELATED TO COVID–19 BY THE SECRETARY.—Not later than 10 days after the date of enactment of this Act, and at least weekly thereafter during the COVID–19 public health emergency period, the Secretary shall provide the Governor of each State with a list of all participating providers in the State with respect to which the reported cases of COVID–19 in visitors to, personnel of, and residents of, such providers increased during the previous week (or, in the case of the first such list, during the 10-day period beginning on the date of enactment of this Act).

(4) CONFIDENTIALITY.—Any information reported under this subsection that is made available to the public shall be made so available in a manner that protects the identity of residents of participating providers and long-term care facilities.

(d) EXTENDING ELDER JUSTICE ACT PROTECTIONS DURING THE COVID–19 EMERGENCY PERIOD.—

(1) LONG-TERM CARE OMBUDSMAN PROGRAM GRANTS AND TRAINING.—Section 2043 of the Social Security Act (42 U.S.C. 1397m–2) is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2)(D))'' before the semicolon; and

(ii) in paragraph (2)—

(iii) in subparagraph (B), by striking ''and'' after the semicolon;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) for the emergency period described in section 1135(g)(1)(B), $12,000,000.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''(including during the emergency period described in section 1135(g)(1)(B), from amounts made available with respect to such period in accordance with paragraph (2))'' before the period; and

(ii) in paragraph (2), by inserting before the period the following: '', and for the emergency period described in section 1135(g)(1)(B), $12,000,000''.

(2) ELDER JUSTICE COORDINATING COUNCIL.—

(A) MEMBERSHIP.—Section 2021(b)(1) of the Social Security Act (42 U.S.C. 1397k(b)(1)) is amended—

(i) by redesignating subparagraph (C) as subparagraph (D); and

(ii) by inserting after subparagraph (B), the following:

''(C) The Administrator of the Federal Emergency Management Agency.''.

(B) DUTIES.—Section 2021(f)(1) of such Act (42 U.S.C. 1397k(f)(1)) is amended by inserting ''the Federal Emergency Management Agency,'' after ''Justice,''.

(3) ADULT PROTECTIVE SERVICES FUNCTIONS AND GRANT PROGRAMS.—Section 2042 of the Social Security Act (42 U.S.C. 1397m–1) is amended—

(A) in subsection (a)(2), by inserting '', and $5,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014'';

(B) in subsection (b)(5), by inserting '', and $150,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''; and

(C) in subsection (c)(6), by inserting '', and $30,000,000 for the emergency period described in section 1135(g)(1)(B)'' after ''2014''.

(4) TECHNICAL AMENDMENT.—Section 2011(12)(A) of the Social Security Act (42 U.S.C. 1397j(12)(A)) is amended by striking ''450b'' and inserting ''5304''.

(e) ADDRESSING RACIAL AND ETHNIC CORONAVIRUS DISPARITIES IN LONG-TERM CARE FACILITIES.—

(1) TASK FORCE.—The Secretary shall establish a task force, to be known as the ''Racial and Ethnic Coronavirus Disparities in Long-Term Care Facilities Task Force'' (referred to in this section as the ''task force''), to gather data and information on racial and ethnic disparities in long-term care facilities, during the public health emergency, and to provide recommendations to Federal, State, local, and Tribal policymakers on ways to eliminate health disparities and to improve the health of racial and ethnic minority populations residing in long-term care facilities.

(2) MEMBERSHIP.—The task force shall be composed of the Surgeon General, other Federal, State, and local government officials, and individuals appointed by the Surgeon General with firsthand knowledge of, or expertise relating to, disparities in access to quality care for residents of long-term care facilities who are members of racial or ethnic minority groups. In appointing such individuals, the Surgeon General, in consultation with the Director of the U.S. Department of Health and Human Services Office of Minority Health, shall ensure the individuals appointed provide ample representation with respect to the demographics of residents and caregivers of all long-term care facilities, during the COVID-19 public health emergency period particularly with respect to residents and caregivers of such facilities who are members of racial or ethnic minority groups, communities of color, and communities with preexisting health challenges or difficulties in accessing care.

(3) ADMINISTRATION.—

(A) CHAIRPERSON AND VICE CHAIRPERSON.—The Surgeon General shall serve as the chairperson of the task force. The Director of the Department's Office of Minority Health shall serve as the vice chairperson.

(B) STAFF.—The task force shall have at least 2 full-time staff members, with diverse and relevant experience, including, but not limited to academic, community, governmental, or vocational work. The staff members, in coordination with the Chairperson and Vice Chairperson shall appoint at least two representatives from the aging community to serve on the task force in addition to at least four representatives providing ample representation with respect to the demographics of residents and caregivers of all long-term care facilities, particularly with respect to members of racial or ethnic minority groups and communities of color, and communities with preexisting health challenges or difficulties in accessing care.

(C) MEETINGS.—The task force shall convene at least monthly, with the first meeting to occur within 60 days after the enactment of this Act.

(4) REPORTING AND RECOMMENDATIONS.—

(A) MONTHLY REPORTS.—Not later than 45 days after the 1st meeting of the task force, and monthly thereafter, the task force shall submit to Congress, the Centers for Medicare and Medicaid, and the Centers for Disease Control and Prevention a report that includes—

(i) recommended methodologies for improving Federal data collection, including transparent publication of such data and information on resident outcomes in long-term care facilities with disproportionately high rates of admission of individuals who are members of racial or ethnic minority groups;

(ii) the identification of long-term care facilities evidencing racial or ethnic disparities in COVID-19 cases and fatalities, psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse rates, neglect rates, fatality rates, and any additional areas, as determined by the task force based on available public health data (or, if no such data are available, on the basis of such other publicly available data or information as the task force may determine);

(iii) the identification of factors, including Federal and State policies, that have contributed to health disparities in resident outcomes in long-term care facilities, and actions Congress (and if appropriate, other entities) can take to address these factors; and

(iv) recommendations for best practices to eliminate health disparities and to improve the health of racial and ethnic minority populations in long-term care facilities, especially such facilities evidencing racial or ethnic disparities in COVID-19 cases and fatalities, psychotropic drug usage, infection prevention and control deficiencies, hospitalization rates, infectious disease rates, injury rates, abuse and neglect rates, fatality rates, or any additional areas determined by the task force.

(B) CONSULTATION WITH INDIAN TRIBES.—In submitting reports and recommendations under this subsection, the task force shall consult with Indian Tribes and Tribal organizations.

(C) SUNSET.—The task force shall terminate on December 31, 2022.

(f) ACHIEVING SAVINGS IN HEALTH CARE PROGRAMS BY REDUCING IMPROPER PRESCRIBING OF CONTROLLED SUBSTANCES.—

(1) IN GENERAL.—Within 120 days of enactment of this Act and annually thereafter, the Secretary shall report all Medicare revocation actions or preclusion list placements to the Drug Enforcement Administration that are based totally or in part on the improper prescribing, administering, or dispensing of controlled substances.

(2) DEFINITIONS.—The terms used in this subsection shall have the meaning given such terms in section 102 of the Controlled Substances Act (42 U.S.C. 802). For purposes of paragraph (1), the ''improper prescribing, administering, or dispensing of controlled substances'' includes doing so in any of the following respects:

(A) In excessive quantities.

(B) For other than a legitimate medical purpose or outside the usual course of professional practice.

(C) Beyond the scope of the practitioner's DEA registration.

(D) In any other manner not permitted by the Controlled Substances Act (21 U.S.C. 801 et. seq.).

(3) ACCESS TO EVIDENCE.—When making the reports required under paragraph (1), the Secretary shall provide the Drug Enforcement Administration with any relevant records or other evidence that Drug Enforcement Administration requests for purposes of carrying out its functions under the Controlled Substances Act. The Drug Enforcement Administration may use any such information or other evidence provided by the Secretary for the purposes of any criminal, civil, or administrative proceeding arising out the Controlled Substances Act.

(g) FUNDING.—

(1) CARES ACT.—-The Secretary may use amounts appropriated for COVID–19 response and related activities pursuant to the CARES Act (Public Law 116–136) and subsequently enacted legislation to carry out this section and the amendments made by this section.

(2) PREVENTION AND PUBLIC HEALTH FUND.—The Secretary may use amounts in the Prevention and Public Health Fund, established under section 4002 of the Patient Protection and Affordable Care Act of 2010, to carry out this section and the amendments made by this section, including by providing financial assistance to participating providers as appropriate for implementation of the requirements of this section and the amendments made by this section.

(h) DEFINITIONS.—In this section:

(1) COVID–19.—The term ''COVID–19'' means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY PERIOD.—The term ''COVID–19 public health emergency period'' means the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs.

(3) LONG-TERM CARE FACILITY.—The term ''long-term care facility'' has the meaning given that term in section 2011(15) of the Social Security Act (42 U.S.C. 1397j(15)).

(4) NURSING FACILITY.—The term ''nursing facility'' has the meaning given that term in section 1919(a) of the Social Security Act (42 U.S.C. 1396r(a)).

(5) PARTICIPATING PROVIDER.—The term ''participating provider'' means a skilled nursing facility or a nursing facility that has been assigned a national provider identifier number by the Secretary and has executed an agreement to participate in the Medicare program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program established under title XIX of such Act (42 U.S.C. 1396 et seq.).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(7) SKILLED NURSING FACILITY.—The term ''skilled nursing facility'' has the meaning given that term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(8) STATE.—Except as otherwise provided, the term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

SA 2642. Mr. MCCONNELL (for Mr. WICKER) proposed an amendment to the bill S. 2299, to amend title 49, United States Code, to enhance the safety and reliability of pipeline transportation, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2020'' or the ''PIPES Act of 2020''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
TITLE I—IMPROVING PIPELINE SAFETY AND INFRASTRUCTURE
Sec. 101. Authorization of appropriations.
Sec. 102. Pipeline workforce development.
Sec. 103. Cost recovery and fees for facility reviews.
Sec. 104. Advancement of new pipeline safety technologies and approaches.
Sec. 105. Pipeline safety testing enhancement study.
Sec. 106. Regulatory updates.
Sec. 107. Self-disclosure of violations.
Sec. 108. Due process protections in enforcement proceedings.
Sec. 109. Pipeline operating status.
Sec. 110. Liquefied natural gas facility project reviews.
Sec. 111. Updates to standards for liquefied natural gas facilities.

Sec. 112. National Center of Excellence for Liquefied Natural Gas Safety and Training.
Sec. 113. Prioritization of rulemaking.
Sec. 114. Leak detection and repair.
Sec. 115. Inspection and maintenance plans.
Sec. 116. Consideration of pipeline class location changes.
Sec. 117. Protection of employees providing pipeline safety information.
Sec. 118. Transportation Technology Center.
Sec. 119. Interstate drug and alcohol oversight.
Sec. 120. Savings clause.
TITLE II—LEONEL RONDON PIPELINE SAFETY ACT
Sec. 201. Short title.
Sec. 202. Distribution integrity management plans.
Sec. 203. Emergency response plans.
Sec. 204. Operations and maintenance manuals.
Sec. 205. Pipeline safety management systems.
Sec. 206. Pipeline safety practices.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term ''Administration'' means the Pipeline and Hazardous Materials Safety Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Administration.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

TITLE I—IMPROVING PIPELINE SAFETY AND INFRASTRUCTURE

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125 of title 49, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) GAS AND HAZARDOUS LIQUID.—

''(1) IN GENERAL.—From fees collected under section 60301, there are authorized to be appropriated to the Secretary to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355) and the provisions of this chapter relating to gas and hazardous liquid—

''(A) $147,000,000 for fiscal year 2020, of which—

''(i) $9,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $60,000,000 shall be used for making grants;

''(B) $151,000,000 for fiscal year 2021, of which—

''(i) $9,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $63,000,000 shall be used for making grants;

''(C) $155,000,000 for fiscal year 2022, of which—

''(i) $9,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $66,000,000 shall be used for making grants; and

''(D) $159,000,000 for fiscal year 2023, of which—

''(i) $9,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $69,000,000 shall be used for making grants.

''(2) TRUST FUND AMOUNTS.—In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated from the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986 to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355) and the provisions of this chapter relating to hazardous liquid—

''(A) $25,000,000 for fiscal year 2020, of which—

''(i) $3,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $10,000,000 shall be used for making grants;

''(B) $26,000,000 for fiscal year 2021, of which—

''(i) $3,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $11,000,000 shall be used for making grants;

''(C) $27,000,000 for fiscal year 2022, of which—

''(i) $3,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $12,000,000 shall be used for making grants; and

''(D) $28,000,000 for fiscal year 2023, of which—

''(i) $3,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

''(ii) $13,000,000 shall be used for making grants.

''(3) UNDERGROUND NATURAL GAS STORAGE FACILITY SAFETY ACCOUNT.—From fees collected under section 60302, there is authorized to be appropriated to the Secretary to carry out section 60141 $8,000,000 for each of fiscal years 2020 through 2023.''.

(b) OPERATIONAL EXPENSES.—Section 2(b) of the PIPES Act of 2016 (Public Law 114–183; 130 Stat. 515) is amended by striking paragraphs (1) through (4) and inserting the following:

''(1) $24,000,000 for fiscal year 2020.

''(2) $25,000,000 for fiscal year 2021.

''(3) $26,000,000 for fiscal year 2022.

''(4) $27,000,000 for fiscal year 2023.''.

(c) ONE-CALL NOTIFICATION PROGRAMS.—Section 6107 of title 49, United States Code, is amended by striking ''$1,058,000 for each of fiscal years 2016 through 2019'' and inserting ''$1,058,000 for each of fiscal years 2020 through 2023''.

(d) EMERGENCY RESPONSE GRANTS.—Section 60125(b)(2) of title 49, United States Code, is amended by striking ''fiscal years 2012 through 2015'' and inserting ''fiscal years 2020 through 2023''.

(e) PIPELINE SAFETY INFORMATION GRANTS TO COMMUNITIES.—Section 60130 of title 49, United States Code, is amended—

(1) in subsection (a)(1), in the first sentence, by striking ''to local communities and groups of individuals (not including for-profit entities)'' and inserting ''to local communities, Indian Tribes, and groups of individuals (not including for-profit entities)''; and

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

''(c) FUNDING.—

''(1) IN GENERAL.—Out of amounts made available under section 2(b) of the PIPES Act of 2016 (Public Law 114–183; 130 Stat. 515), the Secretary shall use $1,500,000 for each of fiscal years 2020 through 2023 to carry out this section.

''(2) LIMITATION.—Any amounts used to carry out this section shall not be derived from user fees collected under section 60301.''.

(f) DAMAGE PREVENTION PROGRAMS.—Section 60134(i) of title 49, United States Code, is amended in the first sentence by striking ''fiscal years 2012 through 2015'' and inserting ''fiscal years 2020 through 2023''.

(g) PIPELINE INTEGRITY PROGRAM.—Section 12(f) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355) is amended by striking ''2016 through 2019'' and inserting ''2020 through 2023''.

SEC. 102. PIPELINE WORKFORCE DEVELOPMENT.

(a) INSPECTOR TRAINING.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) review the inspector training programs provided at the Inspector Training and Qualifications Division of the Administration in Oklahoma City, Oklahoma; and

(2) determine whether any of the programs referred to in paragraph (1), or any portions of the programs, could be provided online through teletraining or another type of distance learning.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology of the House of Representatives and make publicly available on a website of the Department of Transportation a report containing a comprehensive workforce plan for the Administration.

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) a description of the current staffing at the Administration;

(B) an identification of the staff needed to achieve the mission of the Administration over the next 10 years following the date of the report;

(C) an evaluation of whether the inspector training programs referred to in subsection (a)(1) provide appropriate exposure to pipeline operations and current pipeline safety technology;

(D) a summary of any gaps between the current workforce of the Administration and the future human capital needs of the Administration; and

(E) a description of how the Administration—

(i) uses the retention incentives defined by the Office of Personnel Management; and

(ii) plans to use those retention incentives as part of the comprehensive workforce plan of the Administration.

SEC. 103. COST RECOVERY AND FEES FOR FACILITY REVIEWS.

(a) FEES FOR COMPLIANCE REVIEWS OF LIQUEFIED NATURAL GAS FACILITIES.—Chapter 603 of title 49, United States Code, is amended by inserting after section 60302 the following:

''§ 60303. Fees for compliance reviews of liquefied natural gas facilities

''(a) IMPOSITION OF FEE.—

''(1) IN GENERAL.—The Secretary of Transportation (referred to in this section as the 'Secretary') shall impose on a person who files with the Federal Energy Regulatory Commission an application for a liquefied natural gas facility that has design and construction costs totaling not less than $2,500,000,000 a fee for the necessary expenses of a review, if any, that the Secretary conducts, in connection with that application, to determine compliance with subpart B of part 193 of title 49, Code of Federal Regulations (or successor regulations).

''(2) RELATION TO OTHER REVIEW.—The Secretary may not impose fees under paragraph (1) and section 60117(o) or 60301(b) for the same compliance review described in paragraph (1).

''(b) MEANS OF COLLECTION.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures to collect fees under this section.

''(2) USE OF GOVERNMENT ENTITIES.—The Secretary may—

''(A) use a department, agency, or instrumentality of the Federal Government or of a State or local government to collect fees under this section; and

''(B) reimburse that department, agency, or instrumentality a reasonable amount for the services provided.

''(c) ACCOUNT.—There is established an account, to be known as the 'Liquefied Natural Gas Siting Account', in the Pipeline Safety Fund established in the Treasury of the United States under section 60301.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 603 of title 49, United States Code, is amended by inserting after the item relating to section 60302 the following:

''60303. Fees for compliance reviews of liquefied natural gas facilities.''.

SEC. 104. ADVANCEMENT OF NEW PIPELINE SAFETY TECHNOLOGIES AND APPROACHES.

(a) IN GENERAL.—Chapter 601 of title 49, United States Code, is amended by adding at the end the following:

''§ 60142. Pipeline safety enhancement programs

''(a) IN GENERAL.—The Secretary may establish and carry out limited safety-enhancing testing programs during the period of fiscal years 2020 through 2026 to evaluate innovative technologies and operational practices testing the safe operation of—

''(1) a natural gas pipeline facility; or

''(2) a hazardous liquid pipeline facility.

''(b) LIMITATIONS.—

''(1) IN GENERAL.—Such testing programs may not exceed—

''(A) 5 percent of the total miles of hazardous liquid pipelines in the United States; and

''(B) 5 percent of the total miles of natural gas pipelines in the United States.

''(2) HIGH POPULATION AREAS.—Any program established under subsection (a) shall not be located in a high population area (as defined in section 195.450 of title 49, Code of Federal Regulations).

''(c) DURATION.—The term of a testing program established under subsection (a) shall be not more than a period of 4 years beginning on the date of approval of the program.

''(d) SAFETY STANDARDS.—

''(1) IN GENERAL.—The Secretary shall require, as a condition of approval of a testing program under subsection (a), that the safety measures in the testing program are designed to achieve a level of safety that is greater than, or equivalent to, the level of safety required by this chapter.

''(2) DETERMINATION.—

''(A) IN GENERAL.—The Secretary may issue an order under subparagraph (A) of section 60118(c)(1) to accomplish the purpose of a testing program for a term not to exceed the time period described in subsection (c) if the condition described in paragraph (1) is met, as determined by the Secretary.

''(B) LIMITATION.—An order under subparagraph (A) shall pertain only to those regulations that would otherwise prevent the use of the safety technology to be tested under the testing program.

''(e) CONSIDERATIONS.—In establishing a testing program under subsection (a), the Secretary shall consider—

''(1) whether the owners or operators participating in the program have a safety management system in place; and

''(2) whether the proposed safety technology has been tested through a research and development program carried out by—

''(A) the Secretary;

''(B) collaborative research development organizations; or

''(C) other institutions.

''(f) DATA AND FINDINGS.—As a participant in a testing program established under subsection (a), an operator shall submit to the Secretary detailed findings and a summary of data collected as a result of participation in the testing program.

''(g) AUTHORITY TO REVOKE PARTICIPATION.—The Secretary shall immediately revoke participation in a testing program under subsection (a) if—

''(1) the participant fails to comply with the terms and conditions of the testing program; or

''(2) in the determination of the Secretary, continued participation in the testing program by the participant would be unsafe or would not be consistent with the goals and objectives of this chapter.

''(h) AUTHORITY TO TERMINATE PROGRAM.—The Secretary shall immediately terminate a testing program under subsection (a) if continuation of the testing program would not be consistent with the goals and objectives of this chapter.

''(i) STATE RIGHTS.—

''(1) EXEMPTION.—Except as provided in paragraph (2), if a State submits to the Secretary notice that the State requests an exemption from any testing program considered for establishment under this section, the State shall be exempt.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—The Secretary shall not grant a requested exemption under paragraph (1) after a testing program is established.

''(B) LATE NOTICE.—The Secretary shall not grant a requested exemption under paragraph (1) if the notice submitted under that paragraph is submitted to the Secretary more than 10 days after the date on which the Secretary issues an order providing an effective date for the testing program.

''(3) EFFECT.—If a State has not submitted a notice requesting an exemption under paragraph (1), the State shall not enforce any law (including regulations) that is inconsistent with a testing program in effect in the State under this section.

''(j) PROGRAM REVIEW PROCESS AND PUBLIC NOTICE.—

''(1) IN GENERAL.—The Secretary shall publish in the Federal Register and send directly to each relevant State authority with a certification in effect under section 60105 a notice of each testing program under subsection (a), including the order to be considered, and provide an opportunity for public comment for not less than 90 days.

''(2) RESPONSE FROM SECRETARY.—Not later than the date on which the Secretary issues an order providing an effective date of a testing program noticed under paragraph (1), the Secretary shall respond to each comment submitted under that paragraph.

''(k) REPORT TO CONGRESS.—At the conclusion of each testing program, the Secretary shall make publicly available on the website of the Department of Transportation a report containing—

''(1) the findings and conclusions of the Secretary with respect to the testing program; and

''(2) any recommendations of the Secretary with respect to the testing program, including any recommendations for amendments to laws (including regulations) and the establishment of standards, that—

''(A) would enhance the safe operation of interstate gas or hazardous liquid pipeline facilities; and

''(B) are technically, operationally, and economically feasible.

''(l) STANDARDS.—If a report under subsection (k) indicates that it is practicable to establish technically, operationally, and economically feasible standards for the use of a safety-enhancing technology and any corresponding operational practices tested by the testing program described in the report, the Secretary, as soon as practicable after submission of the report, may promulgate regulations consistent with chapter 5 of title 5 (commonly known as the 'Administrative Procedures Act') that—

''(1) allow operators of interstate gas or hazardous liquid pipeline facilities to use the relevant technology or practice to the extent practicable; and

''(2) establish technically, operationally, and economically feasible standards for the capability and deployment of the technology or practice.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 601 of title 49, United States Code, is amended by inserting after the item relating to section 60141 the following:

''60142. Pipeline safety enhancement programs.''.

SEC. 105. PIPELINE SAFETY TESTING ENHANCEMENT STUDY.

Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology of the House of Representatives a report relating to—

(1) the research and development capabilities of the Administration, in accordance with section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355);

(2)(A) the development of additional testing and research capabilities through the establishment of an independent pipeline safety testing facility under the Department of Transportation;

(B) whether an independent pipeline safety testing facility would be critical to the work of the Administration;

(C) the costs and benefits of developing an independent pipeline safety testing facility under the Department of Transportation; and

(D) the costs and benefits of colocating an independent pipeline safety testing facility at an existing training center of the Administration; and

(3) the ability of the Administration to use the testing facilities of the Department of Transportation, other Federal agencies, or federally funded research and development centers.

SEC. 106. REGULATORY UPDATES.

(a) DEFINITION OF OUTSTANDING MANDATE.—In this section, the term ''outstanding mandate'' means—

(1) a final rule required to be issued under the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112–90; 125 Stat. 1904) that has not been published in the Federal Register;

(2) a final rule required to be issued under the PIPES Act of 2016 (Public Law 114–183; 130 Stat. 514) that has not been published in the Federal Register; and

(3) any other final rule regarding gas or hazardous liquid pipeline facilities required to be issued under this Act or an Act enacted prior to the date of enactment of this Act that has not been published in the Federal Register.

(b) REQUIREMENTS.—

(1) PERIODIC UPDATES.—Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter until a final rule referred to in paragraphs (1) through (3) of subsection (a) is published in the Federal Register, the Secretary shall publish on a

publicly available website of the Department of Transportation an update regarding the status of each outstanding mandate in accordance with subsection (c).

(2) NOTIFICATION OF CONGRESS.—On publication of a final rule in the Federal Register for an outstanding mandate, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a notification in accordance with subsection (c).

(c) CONTENTS.—An update published or a notification submitted under paragraph (1) or (2) of subsection (b) shall contain, as applicable—

(1) with respect to information relating to the Administration—

(A) a description of the work plan for each outstanding mandate;

(B) an updated rulemaking timeline for each outstanding mandate;

(C) the staff allocations with respect to each outstanding mandate;

(D) any resource constraints affecting the rulemaking process for each outstanding mandate;

(E) any other details associated with the development of each outstanding mandate that affect the progress of the rulemaking process with respect to that outstanding mandate; and

(F) a description of all rulemakings regarding gas or hazardous liquid pipeline facilities published in the Federal Register that are not identified under subsection (b)(2); and

(2) with respect to information relating to the Office of the Secretary—

(A) the date that the outstanding mandate was submitted to the Office of the Secretary for review;

(B) the reason that the outstanding mandate is under review beyond 45 days;

(C) the staff allocations within the Office of the Secretary with respect to each the outstanding mandate;

(D) any resource constraints affecting review of the outstanding mandate;

(E) an estimated timeline of when review of the outstanding mandate will be complete, as of the date of the update;

(F) if applicable, the date that the outstanding mandate was returned to the Administration for revision and the anticipated date for resubmission to the Office of the Secretary;

(G) the date that the outstanding mandate was submitted to the Office of Management and Budget for review; and

(H) a statement of whether the outstanding mandate remains under review by the Office of Management and Budget.

SEC. 107. SELF-DISCLOSURE OF VIOLATIONS.

Section 60122(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' at the end; and

(2) by adding at the end the following:

''(D) self-disclosure and correction of violations, or actions to correct a violation, prior to discovery by the Pipeline and Hazardous Materials Safety Administration; and''.

SEC. 108. DUE PROCESS PROTECTIONS IN ENFORCEMENT PROCEEDINGS.

(a) IN GENERAL.—Section 60117 of title 49, United States Code, is amended—

(1) by redesignating subsections (b) through (o) as subsections (c) through (p), respectively; and

(2) by inserting after subsection (a) the following:

''(b) ENFORCEMENT AND REGULATORY PROCEDURES.—

''(1) REQUEST FOR FORMAL HEARING.—On request of a respondent in an enforcement or regulatory proceeding under this chapter, a hearing shall be held in accordance with section 554 of title 5.

''(2) ADMINISTRATIVE LAW JUDGE.—A hearing under paragraph (1) shall be conducted by an administrative law judge appointed under section 3105 of title 5.

''(3) OPEN TO THE PUBLIC.—

''(A) HEARINGS.—A hearing under paragraph (1) shall be—

''(i) noticed to the public—

''(I) on the website of the Pipeline and Hazardous Materials Safety Administration; and

''(II) in the Federal Register; and

''(ii) open to the public.

''(B) AGREEMENTS, ORDERS, AND JUDGMENTS.—A consent agreement, consent order, order, or judgment resulting from a hearing under paragraph (1) shall be made available to the public on the website of the Pipeline and Hazardous Materials Safety Administration.

''(4) PROCEDURES.—In implementing enforcement and regulatory procedures under this chapter, the Secretary shall—

''(A) allow the use of a consent agreement and consent order to resolve any matter of fact or law asserted;

''(B) allow the respondent and the agency to convene 1 or more meetings—

''(i) for settlement or simplification of the issues; or

''(ii) to aid in the disposition of issues;

''(C) require that the case file in an enforcement proceeding include all agency records pertinent to the matters of fact and law asserted;

''(D) require that a recommended decision be made available to the respondent when issued;

''(E) allow a respondent to reply to any post-hearing submission;

''(F) allow a respondent to request—

''(i) that a hearing be held, and a recommended decision and order issued, on an expedited basis; or

''(ii) that a hearing not commence for a period of not less than 90 days;

''(G) require that the agency have the burden of proof, presentation, and persuasion in any enforcement matter;

''(H) require that any recommended decision and order contain findings of fact and conclusions of law;

''(I) require the Associate Administrator of the Office of Pipeline Safety to file a post-hearing recommendation not later than 30 days after the deadline for any post-hearing submission of a respondent;

''(J) require an order on a petition for reconsideration to be issued not later than 120 days after the date on which the petition is filed; and

''(K) allow an operator to request that an issue of controversy or uncertainty be addressed through a declaratory order in accordance with section 554(e) of title 5, which order shall be issued not later than 120 days after the date on which a request is made.

''(5) SAVINGS CLAUSE.—Nothing in this subsection alters the procedures applicable to an emergency order under subsection (p).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 60109(g)(4) of title 49, United States Code, is amended by striking ''section 60117(c)'' and inserting ''section 60117(d)''.

(2) Section 60117(p) of title 49, United States Code (as redesignated by subsection (a)(1)), is amended, in paragraph (3)(E), by striking ''60117(l)'' and inserting ''subsection (m)''.

(3) Section 60118(a)(3) of title 49, United States Code, is amended by striking ''section 60117(a)–(d)'' and inserting ''subsections (a) through (e) of section 60117''.

SEC. 109. PIPELINE OPERATING STATUS.

(a) IN GENERAL.—Chapter 601 of title 49, United States Code (as amended by section 104(a)), is amended by adding at the end the following:

''§ 60143. Idled pipelines

''(a) DEFINITION OF IDLED.—In this section, the term 'idled', with respect to a pipeline, means that the pipeline—

''(1)(A) has ceased normal operations; and

''(B) will not resume service for a period of not less than 180 days;

''(2) has been isolated from all sources of hazardous liquid, natural gas, or other gas; and

''(3)(A) has been purged of combustibles and hazardous materials and maintains a blanket of inert, nonflammable gas at low pressure; or

''(B) has not been purged as described in subparagraph (A), but the volume of gas is so small that there is no potential hazard.

''(b) RULEMAKING.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the PIPES Act of 2020, the Secretary shall promulgate regulations prescribing the applicability of the pipeline safety requirements to idled natural or other gas transmission and hazardous liquid pipelines.

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—The applicability of the regulations under paragraph (1) shall be based on the risk that idled natural or other gas transmission and hazardous liquid pipelines pose to the public, property, and the environment, and shall include requirements to resume operation.

''(B) INSPECTION.—The Secretary or an appropriate State agency shall inspect each idled pipeline and verify that the pipeline has been purged of combustibles and hazardous materials, if required under subsection (a).

''(C) REQUIREMENTS FOR REINSPECTION.—The Secretary shall determine the requirements for periodic reinspection of idled natural or other gas transmission and hazardous liquid pipelines.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 601 of title 49, United States Code (as amended by section 104(b)), is amended by inserting after the item relating to section 60142 the following:

''60143. Idled pipelines.''.

SEC. 110. LIQUEFIED NATURAL GAS FACILITY PROJECT REVIEWS.

Section 60103(a) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively, and indenting appropriately;

(2) in the first sentence, by striking ''The Secretary of Transportation'' and inserting the following:

''(1) IN GENERAL.—The Secretary of Transportation'';

(3) in the second sentence, by striking ''In prescribing a standard'' and inserting the following:

''(2) CONSIDERATIONS.—In prescribing a standard under paragraph (1)''; and

(4) by adding at the end the following:

''(3) USE OF LOCATION STANDARDS.—If a Federal or State authority with jurisdiction over liquefied natural gas pipeline facility permits or approvals is using the location standards prescribed under paragraph (1) for purposes of making a decision with respect to the location of a new liquefied natural gas pipeline facility and submits to the Secretary of Transportation a request to provide a determination of whether the new liquefied natural gas pipeline facility would meet the location standards, the Secretary may provide such a determination to the requesting Federal or State authority.

''(4) EFFECT.—Nothing in this subsection or subsection (b)—

''(A) affects—

''(i) section 3 of the Natural Gas Act (15 U.S.C. 717b);

''(ii) the authority of the Federal Energy Regulatory Commission to carry out that section; or

''(iii) any other similar authority of any other Federal or State agency; or

''(B) requires the Secretary of Transportation to formally approve any project proposal or otherwise perform any siting functions.''.

SEC. 111. UPDATES TO STANDARDS FOR LIQUEFIED NATURAL GAS FACILITIES.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(1) review the minimum operating and maintenance standards prescribed under section 60103(d) of title 49, United States Code; and

(2) based on the review under paragraph (1), update the standards described in that paragraph applicable to large-scale liquefied natural gas facilities (other than peak shaving facilities) to provide for a risk-based regulatory approach for such facilities, consistent with this section.

(b) SCOPE.—In updating the minimum operating and maintenance standards under subsection (a)(2), the Secretary shall ensure that all regulations, guidance, and internal documents are developed and applied in a manner consistent with this section.

(c) REQUIREMENTS.—The updates to the operating and maintenance standards required under subsection (a)(2) shall, at a minimum, require operators—

(1) to develop and maintain written safety information identifying hazards associated with—

(A) the processes of liquefied natural gas conversion, storage, and transport;

(B) equipment used in the processes; and

(C) technology used in the processes;

(2) to conduct a hazard assessment, including the identification of potential sources of accidental releases;

(3)(A) to consult with employees and representatives of employees on the development and conduct of hazard assessments under paragraph (2); and

(B) to provide employees access to the records of the hazard assessments and any other records required under the updated standards;

(4) to establish a system to respond to the findings of a hazard assessment conducted under paragraph (2) that addresses prevention, mitigation, and emergency responses;

(5) to review, when a design change occurs, a hazard assessment conducted under paragraph (2) and the response system established under paragraph (4);

(6) to develop and implement written operating procedures for the processes of liquefied natural gas conversion, storage, and transport;

(7)(A) to provide written safety and operating information to employees; and

(B) to train employees in operating procedures with an emphasis on addressing hazards and using safe practices;

(8) to ensure contractors and contract employees are provided appropriate information and training;

(9) to train and educate employees and contractors in emergency response;

(10) to establish a quality assurance program to ensure that equipment, maintenance materials, and spare parts relating to the operations and maintenance of liquefied natural gas facilities are fabricated and installed consistent with design specifications;

(11) to establish maintenance systems for critical process-related equipment, including written procedures, employee training, appropriate inspections, and testing of that equipment to ensure ongoing mechanical integrity;

(12) to conduct pre-start-up safety reviews of all newly installed or modified equipment;

(13) to establish and implement written procedures to manage change to processes of liquefied natural gas conversion, storage, and transport, technology, equipment, and facilities; and

(14)(A) to investigate each incident that results in, or could have resulted in—

(i) loss of life;

(ii) destruction of private property; or

(iii) a major accident; and

(B) to have operating personnel—

(i) review any findings of an investigation under subparagraph (A); and

(ii) if appropriate, take responsive measures.

SEC. 112. NATIONAL CENTER OF EXCELLENCE FOR LIQUEFIED NATURAL GAS SAFETY AND TRAINING.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term ''Center'' means the National Center of Excellence for Liquefied Natural Gas Safety and Training established under subsection (b).

(2) LNG.—The term ''LNG'' means liquefied natural gas.

(3) LNG SECTOR STAKEHOLDER.—The term ''LNG sector stakeholder'' means a representative of—

(A) LNG facilities that represent the broad array of LNG facilities operating in the United States;

(B) States, Indian Tribes, and units of local government;

(C) postsecondary education;

(D) labor organizations;

(E) safety organizations; or

(F) Federal regulatory agencies of jurisdiction, which may include—

(i) the Administration;

(ii) the Federal Energy Regulatory Commission;

(iii) the Department of Energy;

(iv) the Occupational Safety and Health Administration;

(v) the Coast Guard; and

(vi) the Maritime Administration.

(b) ESTABLISHMENT.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with LNG sector stakeholders, shall establish a center, to be known as the ''National Center of Excellence for Liquefied Natural Gas Safety and Training''.

(c) FUNCTIONS.—The Center shall, for activities regulated under section 60103 of title 49, United States Code—

(1) promote, facilitate, and conduct—

(A) education;

(B) training; and

(C) technological advancements;

(2) be a repository of information on best practices relating to, and expertise on, LNG operations;

(3) foster collaboration among stakeholders; and

(4) provide a curriculum for training that incorporates—

(A) risk-based principles into the operation, management, and regulatory oversight of LNG facilities;

(B) the reliance on subject matter expertise within the LNG industry;

(C) the transfer of knowledge and expertise between the LNG industry and regulatory agencies; and

(D) training and workshops that occur at operational facilities.

(d) LOCATION.—

(1) IN GENERAL.—The Center shall be located in close proximity to critical LNG transportation infrastructure on, and connecting to, the Gulf of Mexico, as determined by the Secretary.

(2) CONSIDERATIONS.—In determining the location of the Center, the Secretary shall—

(A) take into account the strategic value of locating resources in close proximity to LNG facilities; and

(B) locate the Center in the State with the largest LNG production capacity, as determined by the total capacity (in billion cubic feet per day) of LNG production authorized by the Federal Energy Regulatory Commission under section 3 of the Natural Gas Act (15 U.S.C. 717b) as of the date of enactment of this Act.

(e) COORDINATION WITH TQ TRAINING CENTER.—In carrying out the functions described in subsection (c), the Center shall coordinate with the Training and Qualifications Training Center of the Administration in Oklahoma City, Oklahoma, to facilitate knowledge sharing among, and enhanced training opportunities for, Federal and State pipeline safety inspectors and investigators.

(f) JOINT OPERATION WITH EDUCATIONAL INSTITUTION.—The Secretary may enter into an agreement with an appropriate official of an institution of higher education—

(1) to provide for joint operation of the Center; and

(2) to provide necessary administrative services for the Center.

SEC. 113. PRIORITIZATION OF RULEMAKING.

(a) RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Secretary shall ensure completion of and publish in the Federal Register the outstanding rulemaking entitled ''Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines'', published in the Federal Register on April 8, 2016 (81 Fed. Reg. 20722; Docket No. PHMSA–2011–0023), as that rulemaking relates to the consideration of gathering pipelines.

(b) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) review the extent to which geospatial and technical data is collected by operators of gathering lines, including design and material specifications;

(2) analyze information collected by operators of gathering lines when the mapping information described in paragraph (1) is not available for a gathering line; and

(3) assess any plans and timelines of operators of gathering lines to develop the mapping information described in paragraph (1) or otherwise collect information described in paragraph (2).

(c) REPORT.—The Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report on the review required under subsection (b), including any recommendations that the Comptroller General of the United States may have as a result of the review.

SEC. 114. LEAK DETECTION AND REPAIR.

Section 60102 of title 49, United States Code, is amended by adding at the end the following:

''(q) GAS PIPELINE LEAK DETECTION AND REPAIR.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall promulgate final regulations that require operators of regulated gathering lines (as defined pursuant to subsection (b) of section 60101 for purposes of subsection (a)(21) of that section) in a Class 2 location, Class 3 location, or Class 4 location, as determined under section 192.5 of title 49, Code of Federal Regulations, operators of new and existing gas transmission pipeline facilities, and operators of new and

existing gas distribution pipeline facilities to conduct leak detection and repair programs—

''(A) to meet the need for gas pipeline safety, as determined by the Secretary; and

''(B) to protect the environment.

''(2) LEAK DETECTION AND REPAIR PROGRAMS.—

''(A) MINIMUM PERFORMANCE STANDARDS.—The final regulations promulgated under paragraph (1) shall include, for the leak detection and repair programs described in that paragraph, minimum performance standards that reflect the capabilities of commercially available advanced technologies that, with respect to each pipeline covered by the programs, are appropriate for—

''(i) the type of pipeline;

''(ii) the location of the pipeline;

''(iii) the material of which the pipeline is constructed; and

''(iv) the materials transported by the pipeline.

''(B) REQUIREMENT.—The leak detection and repair programs described in paragraph (1) shall be able to identify, locate, and categorize all leaks that—

''(i) are hazardous to human safety or the environment; or

''(ii) have the potential to become explosive or otherwise hazardous to human safety.

''(3) ADVANCED LEAK DETECTION TECHNOLOGIES AND PRACTICES.—

''(A) IN GENERAL.—The final regulations promulgated under paragraph (1) shall—

''(i) require the use of advanced leak detection technologies and practices described in subparagraph (B);

''(ii) identify any scenarios where operators may use leak detection practices that depend on human senses; and

''(iii) include a schedule for repairing or replacing each leaking pipe, except a pipe with a leak so small that it poses no potential hazard, with appropriate deadlines.

''(B) ADVANCED LEAK DETECTION TECHNOLOGIES AND PRACTICES DESCRIBED.—The advanced leak detection technologies and practices referred to in subparagraph (A)(i) include—

''(i) for new and existing gas distribution pipeline facilities, technologies and practices to detect pipeline leaks—

''(I)(aa) through continuous monitoring on or along the pipeline; and

''(bb) in the case of an existing facility, that do not impose any design or installation requirements on existing facilities that would be inapplicable under section 60104(b); or

''(II) through periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology;

''(ii) for new and existing gas transmission pipeline facilities, technologies and practices to detect pipeline leaks through—

''(I) equipment that—

''(aa) is capable of continuous monitoring; and

''(bb) in the case of an existing facility, does not impose any design or installation requirements on existing facilities that would be inapplicable under section 60104(b); or

''(II) periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology; and

''(iii) for regulated gathering lines in Class 2 locations, Class 3 locations, or Class 4 locations, technologies and practices to detect pipeline leaks through—

''(I) equipment that—

''(aa) is capable of continuous monitoring; and

''(bb) in the case of an existing facility, does not impose any design or installation requirements on existing facilities that would be inapplicable under section 60104(b); or

''(II) periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology.

''(4) SAVINGS CLAUSES.—

''(A) SURVEYS AND TIMELINES.—In promulgating regulations under this subsection, the Secretary—

''(i) shall not reduce the frequency of surveys required under any other provision of this chapter or stipulated by regulation as of the date of enactment of this subsection; and

''(ii) shall not extend the duration of any timelines for the repair or remediation of leaks that are stipulated by regulation as of the date of enactment of this subsection.

''(B) APPLICATION.—The limitations in this paragraph do not restrict the Secretary's ability to modify any regulations through proceedings separate from or subsequent to the final regulations required under paragraph (1).

''(C) EXISTING AUTHORITY.—Nothing in this subsection shall alter the authority of the Secretary to regulate gathering lines as defined under section 60101.''.

SEC. 115. INSPECTION AND MAINTENANCE PLANS.

(a) IN GENERAL.—Section 60108 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting '', must meet the requirements of any regulations promulgated under section 60102(q),'' after ''the need for pipeline safety'';

(ii) in subparagraph (C), by striking ''and'' at the end; and

(iii) by striking subparagraph (D) and inserting the following:

''(D) the extent to which the plan will contribute to—

''(i) public safety;

''(ii) eliminating hazardous leaks and minimizing releases of natural gas from pipeline facilities; and

''(iii) the protection of the environment; and

''(E) the extent to which the plan addresses the replacement or remediation of pipelines that are known to leak based on the material (including cast iron, unprotected steel, wrought iron, and historic plastics with known issues), design, or past operating and maintenance history of the pipeline.''; and

(B) by striking paragraph (3) and inserting the following:

''(3) REVIEW OF PLANS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subparagraph, and not less frequently than once every 5 years thereafter, the Secretary or relevant State authority with a certification in effect under section 60105 shall review each plan described in this subsection.

''(B) CONTEXT OF REVIEW.—The Secretary may conduct a review under this paragraph as an element of the inspection of the operator carried out by the Secretary under subsection (b).

''(C) INADEQUATE PROGRAMS.—If the Secretary determines that a plan reviewed under this paragraph does not comply with the requirements of this chapter (including any regulations promulgated under this chapter), has not been adequately implemented, is inadequate for the safe operation of a pipeline facility, or is otherwise inadequate, the Secretary may conduct enforcement proceedings under this chapter.''; and

(2) in subsection (b)(1)(B), by inserting ''construction material,'' after ''method of construction,''.

(b) DEADLINE.—Not later than 1 year after the date of enactment of this Act, each pipeline operator shall update the inspection and maintenance plan prepared by the operator under section 60108(a) of title 49, United States Code, to address the elements described in the amendments to that section made by subsection (a).

(c) INSPECTION AND MAINTENANCE PLAN OVERSIGHT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to evaluate the procedures used by the Secretary and States in reviewing plans prepared by pipeline operators under section 60108(a) of title 49, United States Code, pursuant to subsection (b) in minimizing releases of natural gas from pipeline facilities.

(2) REPORT OF THE COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 1 year after the Secretary's review of the operator plans prepared under section 60108(a) of title 49, United States Code, the Comptroller General of the United States shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report that—

(A) describes the results of the study conducted under paragraph (1), including an evaluation of the procedures used by the Secretary and States in reviewing the effectiveness of the plans prepared by pipeline operators under section 60108(a) of title 49, United States Code, pursuant to subsection (b) in minimizing releases of natural gas from pipeline facilities; and

(B) provides recommendations for how to further minimize releases of natural gas from pipeline facilities without compromising pipeline safety based on observations and information obtained through the study conducted under paragraph (1).

(3) RESPONSE OF THE SECRETARY.—Not later than 90 days after the date on which the report under paragraph (2) is published, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report that includes—

(A) a response to the results of the study conducted under paragraph (1) and the recommendations contained in the report submitted under paragraph (2);

(B) a discussion of—

(i) the best available technologies or practices to prevent or minimize, without compromising pipeline safety, the release of natural gas when making planned repairs, replacements, or maintenance to a pipeline facility;

(ii) the best available technologies or practices to prevent or minimize, without compromising pipeline safety, the release of natural gas when the operator intentionally vents or releases natural gas; and

(iii) pipeline facility designs that, without compromising pipeline safety, mitigate the need to intentionally vent natural gas; and

(C) a timeline for updating pipeline safety regulations, as the Secretary determines to be appropriate, to address—

(i) the recommendations of the Comptroller General of the United States in the report submitted under paragraph (2); and

(ii) the matters described in clauses (i) through (iii) of subparagraph (B) based on the discussion described in that subparagraph.

(4) RULEMAKING.—

(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary submits the report under paragraph (3), the Secretary shall update, in accordance with the timeline described in paragraph (3)(C), pipeline safety regulations that the Secretary has determined are necessary to protect the environment without compromising pipeline safety.

(B) REPORT.—If the Secretary determines not to promulgate or update regulations to address a recommendation of the Comptroller General of the United States made in the report submitted under paragraph (2), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a justification for that decision and any supporting documents or analysis used to make that decision.

SEC. 116. CONSIDERATION OF PIPELINE CLASS LOCATION CHANGES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall—

(1) review all comments submitted in response to the advance notice of proposed rulemaking entitled ''Pipeline Safety: Class Location Change Requirements'' (83 Fed. Reg. 36861 (July 31, 2018));

(2) complete any other activities or procedures necessary—

(A) to make a determination whether to publish a notice of proposed rulemaking; and

(B) if a positive determination is made under subparagraph (A), to advance in the rulemaking process, including by taking any actions required under section 60115 of title 49, United State Code; and

(3) consider the issues raised in the report to Congress entitled ''Evaluation of Expanding Pipeline Integrity Management Beyond High-Consequence Areas and Whether Such Expansion Would Mitigate the Need for Gas Pipeline Class Location Requirements'' prepared by the Pipeline and Hazardous Materials Safety Administration and submitted to Congress on June 8, 2016, including the adequacy of existing integrity management programs.

(b) APPLICATION.—Nothing in this section requires the Administrator of the Pipeline and Hazardous Materials Safety Administration to publish a notice of proposed rulemaking or otherwise continue the rulemaking process with respect to the advance notice of proposed rulemaking described in subsection (a)(1).

(c) REPORTING.—For purposes of this section, the requirements of section 106 shall apply during the period beginning on the date that is 180 days after the date of enactment of this Act and ending on the date on which the requirements of subsection (a) are completed.

SEC. 117. PROTECTION OF EMPLOYEES PROVIDING PIPELINE SAFETY INFORMATION.

Section 60129 of title 49, United States Code, is amended—

(1) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''employee with'' and inserting ''current or former employee with'';

(2) in subsection (b)(3), by adding at the end the following:

''(D) DE NOVO REVIEW.—

''(i) IN GENERAL.—With respect to a complaint under paragraph (1), if the Secretary of Labor has not issued a final decision by the date that is 210 days after the date on which the complaint was filed, and if the delay is not due to the bad faith of the employee who filed the complaint, that employee may bring an original action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such action without regard to the amount in controversy, and which action shall, at the request of either party to the action, be tried by the court with a jury.

''(ii) BURDENS OF PROOF.—An original action described in clause (i) shall be governed by the same legal burdens of proof specified in paragraph (2)(B) for review by the Secretary of Labor.''; and

(3) by adding at the end the following:

''(e) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(1) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided under this section may not be waived by any agreement, policy, form, or condition of employment, including by a predispute arbitration agreement.

''(2) PREDISPUTE ARBITRATION AGREEMENTS.—No provision of a predispute arbitration agreement shall be valid or enforceable if the provision requires arbitration of a dispute arising under subsection (a)(1).''.

SEC. 118. TRANSPORTATION TECHNOLOGY CENTER.

(a) RESEARCH AND DEVELOPMENT.—The Administrator may use the Transportation Technology Center in Pueblo, Colorado, for research and development relating to transportation safety improvements that will advance the safe and efficient transportation of hazardous materials and energy products.

(b) AUTHORITY TO PLAN, DESIGN, ENGINEER, ERECT, ALTER, AND REPAIR BUILDINGS AND MAKE PUBLIC IMPROVEMENTS.—Only after submitting a report to the Committees on Appropriations and Commerce, Science, and Transportation of the Senate and the Committees on Appropriations, Transportation and Infrastructure, and Energy and Commerce of the House of Representatives, and subject to the availability of funds appropriated by Congress for the applicable purpose, the Secretary may plan, design, engineer, erect, alter, and repair buildings and make other public improvements to carry out necessary research, safety, and training activities at the Transportation Technology Center in Pueblo, Colorado.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report on the use of, and future plans for, research and development activities at the Transportation Technology Center in Pueblo, Colorado.

SEC. 119. INTERSTATE DRUG AND ALCOHOL OVERSIGHT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall amend the auditing program for the drug and alcohol regulations in part 199 of title 49, Code of Federal Regulations, to improve the efficiency and processes of those regulations as applied to—

(1) operators; and

(2) pipeline contractors working for multiple operators in multiple States.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall minimize duplicative audits of the same operators, and the contractors working for those operators, by the Administration and multiple State agencies.

(c) LIMITATION.—Nothing in this section requires modification of the inspection or enforcement authority of any Federal agency or State.

SEC. 120. SAVINGS CLAUSE.

Nothing in this title or an amendment made by this title affects the authority of the Administrator of the Environmental Protection Agency under the Clean Air Act (42 U.S.C. 7401 et seq.), the authority of the Secretary of the Interior under the Mineral Leasing Act (30 U.S.C. 181 et seq.), or the authority of any State to regulate the release of pollutants or hazardous substances to air, water, or land, including through the establishment and enforcement of requirements relating to that release.

TITLE II—LEONEL RONDON PIPELINE SAFETY ACT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Leonel Rondon Pipeline Safety Act''.

SEC. 202. DISTRIBUTION INTEGRITY MANAGEMENT PLANS.

(a) IN GENERAL.—Section 60109(e) of title 49, United States Code, is amended by adding at the end the following:

''(7) DISTRIBUTION INTEGRITY MANAGEMENT PLANS.—

''(A) EVALUATION OF RISK.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall promulgate regulations to ensure that each distribution integrity management plan developed by an operator of a distribution system includes an evaluation of—

''(i) the risks resulting from the presence of cast iron pipes and mains in the distribution system; and

''(ii) the risks that could lead to or result from the operation of a low-pressure distribution system at a pressure that makes the operation of any connected and properly adjusted low-pressure gas burning equipment unsafe (as described in section 192.623 of title 49, Code of Federal Regulations (or a successor regulation)).

''(B) CONSIDERATION.—In the evaluations required in a plan under subparagraph (A), the regulations promulgated by the Secretary shall ensure that the distribution integrity management plan evaluates for future potential threats in a manner that considers factors other than past observed abnormal operations (within the meaning of section 192.605 of title 49, Code of Federal Regulations (or a successor regulation)), in ranking risks and identifying measures to mitigate those risks under that subparagraph, so that operators avoid using a risk rating of zero for low probability events unless otherwise supported by engineering analysis or operational knowledge.

''(C) DEADLINES.—

''(i) IN GENERAL.—Not later than 2 years after the date of enactment of this paragraph, each operator of a distribution system shall make available to the Secretary or the relevant State authority with a certification in effect under section 60105, as applicable, a copy of—

''(I) the distribution integrity management plan of the operator;

''(II) the emergency response plan under section 192.615 of title 49, Code of Federal Regulations (or a successor regulation); and

''(III) the procedural manual for operations, maintenance, and emergencies under section 192.605 of title 49, Code of Federal Regulations (or a successor regulation).

''(ii) UPDATES.—Each operator of a distribution system shall make available to the Secretary or make available for inspection to the relevant State authority with a certification in effect under section 60105, if applicable, an updated plan or manual described in clause (i) by not later than 60 days after the date of a significant update, as determined by the Secretary.

''(iii) APPLICABILITY OF FOIA.—Nothing in this subsection shall be construed to authorize the disclosure of any information that is exempt from disclosure under section 552(b) of title 5, United States Code.

''(D) REVIEW OF PLANS AND DOCUMENTS.—

''(i) TIMING.—

''(I) IN GENERAL.—Not later than 2 years after the date of promulgation of the regulations under subparagraph (A), and not less frequently than once every 5 years thereafter, the Secretary or relevant State authority with a certification in effect under section 60105 shall review the distribution integrity management plan, the emergency response plan, and the procedural manual for operations, maintenance, and emergencies of each operator of a distribution system and record the results of that review for use in the next review of the program of that operator.

''(II) GRACE PERIOD.—For the third, fourth, and fifth years after the date of promulgation of the regulations under subparagraph (A), the Secretary—

''(aa) shall not use subclause (I) as justification to reduce funding, decertify, or penalize in any way under section 60105, 60106, or 60107 a State authority that has in effect a certification under section 60105 or an agreement under section 60106; and

''(bb) shall—

''(AA) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a list of States found to be noncompliant with subclause (I) during the annual program evaluation; and

''(BB) provide a written notice to each State authority described in item (aa) that is not in compliance with the requirements of subclause (I).

''(ii) REVIEW.—Each plan or procedural manual made available under subparagraph (C)(i) shall be reexamined—

''(I) on significant change to the plans or procedural manual, as applicable;

''(II) on significant change to the gas distribution system of the operator, as applicable; and

''(III) not less frequently than once every 5 years.

''(iii) CONTEXT OF REVIEW.—The Secretary may conduct a review under clause (i) or (ii) as an element of the inspection of the operator carried out by the Secretary.

''(iv) INADEQUATE PROGRAMS.—If the Secretary determines that the documents reviewed under clause (i) or (ii) do not comply with the requirements of this chapter (including regulations to implement this chapter), have not been adequately implemented, or are inadequate for the safe operation of a pipeline facility, the Secretary may conduct proceedings under this chapter.''.

(b) MONITORING.—Section 60105(e) of title 49, United States Code, is amended—

(1) in the second sentence, by striking ''A State authority'' and inserting the following:

''(2) COOPERATION.—A State authority with a certification in effect under this section'';

(2) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(3) by adding at the end the following:

''(3) AUDIT PROGRAM.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall—

''(A) revise the State audit protocols and procedures to update the annual State Program Evaluations carried out under this subsection and section 60106(d) to ensure that a State authority with a certification in effect under this section has the capability to sufficiently review and evaluate the adequacy of the plans and manuals described in section 60109(e)(7)(C)(i);

''(B) update the State Inspection Calculation Tool to take into account factors including—

''(i) the number of miles of natural gas and hazardous liquid pipelines in the State, including the number of miles of cast iron and bare steel pipelines;

''(ii) the number of services in the State;

''(iii) the age of the gas distribution system in the State; and

''(iv) environmental factors that could impact the integrity of the pipeline, including relevant geological issues; and

''(C) promulgate regulations to require that a State authority with a certification in effect under this section has a sufficient number of qualified inspectors to ensure safe operations, as determined by the State Inspection Calculation Tool and other factors determined to be appropriate by the Secretary.''.

SEC. 203. EMERGENCY RESPONSE PLANS.

Section 60102 of title 49, United States Code (as amended by section 114), is amended by adding at the end the following:

''(r) EMERGENCY RESPONSE PLANS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall update regulations to ensure that each emergency response plan developed by an operator of a distribution system under section 192.615 of title 49, Code of Federal Regulations (or a successor regulation), includes written procedures for—

''(1) establishing communication with first responders and other relevant public officials, as soon as practicable, beginning from the time of confirmed discovery, as determined by the Secretary, by the operator of a gas pipeline emergency involving a release of gas from a distribution system of that operator that results in—

''(A) a fire related to an unintended release of gas;

''(B) an explosion;

''(C) 1 or more fatalities; or

''(D) the unscheduled release of gas and shutdown of gas service to a significant number of customers, as determined by the Secretary;

''(2) establishing general public communication through an appropriate channel—

''(A) as soon as practicable, as determined by the Secretary, after a gas pipeline emergency involving a release of gas that results in—

''(i) a fire related to an unintended release of gas;

''(ii) an explosion;

''(iii) 1 or more fatalities; or

''(iv) the unscheduled shutdown of gas service to a significant number of customers, as determined by the Secretary; and

''(B) that provides information regarding—

''(i) the emergency described in subparagraph (A); and

''(ii) the status of public safety; and

''(3) the development and implementation of a voluntary, opt-in system that would allow operators of distribution systems to rapidly communicate with customers in the event of an emergency.''.

SEC. 204. OPERATIONS AND MAINTENANCE MANUALS.

Section 60102 of title 49, United States Code (as amended by section 203), is amended by adding at the end the following:

''(s) OPERATIONS AND MAINTENANCE MANUALS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall update regulations to ensure that each procedural manual for operations, maintenance, and emergencies developed by an operator of a distribution pipeline under section 192.605 of title 49, Code of Federal Regulations (or a successor regulation), includes written procedures for—

''(1) responding to overpressurization indications, including specific actions and an order of operations for immediately reducing pressure in or shutting down portions of the gas distribution system, if necessary; and

''(2) a detailed procedure for the management of the change process, which shall—

''(A) be applied to significant technology, equipment, procedural, and organizational changes to the distribution system; and

''(B) ensure that relevant qualified personnel, such as an engineer with a professional engineer licensure, subject matter expert, or other employee who possesses the necessary knowledge, experience, and skills regarding natural gas distribution systems, review and certify construction plans for accuracy, completeness, and correctness.''.

SEC. 205. PIPELINE SAFETY MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report describing—

(1) the number of operators of natural gas distribution systems who have implemented a pipeline safety management system in accordance with the standard established by the American Petroleum Institute entitled ''Pipeline Safety Management System Requirements'' and numbered American Petroleum Institute Recommended Practice 1173;

(2) the progress made by operators of natural gas distribution systems who have implemented, or are in the process of implementing, a pipeline safety management system described in paragraph (1); and

(3) the feasibility of an operator of a natural gas distribution system implementing a pipeline safety management system described in paragraph (1) based on the size of the operator as measured by—

(A) the number of customers the operator has; and

(B) the amount of natural gas the operator transports.

(b) REQUIREMENTS.—As part of the report required under subsection (a), the Secretary shall provide guidance or recommendations that would further the adoption of safety management systems in accordance with the standard established by the American Petroleum Institute entitled ''Pipeline Safety Management System Requirements'' and numbered American Petroleum Institute Recommended Practice 1173.

(c) EVALUATION AND PROMOTION OF SAFETY MANAGEMENT SYSTEMS.—The Secretary and the relevant State authority with a certification in effect under section 60105 of title 49, United States Code, as applicable, shall—

(1) promote and assess pipeline safety management systems frameworks developed by operators of natural gas distribution systems and described in the report under subsection (a), including—

(A) if necessary, using independent third-party evaluators; and

(B) through a system that promotes self-disclosure of—

(i) errors; and

(ii) deviations from regulatory standards; and

(2) if a deviation from a regulatory standard is identified during the development and application of a pipeline safety management system, certify that—

(A) due consideration will be given to factors such as flawed procedures, honest mistakes, or lack of understanding; and

(B) the operators and regulators use the most appropriate tools to fix the deviation, return to compliance, and prevent the recurrence of the deviation, including—

(i) root cause analysis; and

(ii) training, education, or other appropriate improvements to procedures or training programs.

SEC. 206. PIPELINE SAFETY PRACTICES.

Section 60102 of title 49, United States Code (as amended by section 204), is amended by adding at the end the following:

''(t) OTHER PIPELINE SAFETY PRACTICES.—

''(1) RECORDS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall promulgate regulations to require an operator of a distribution system—

''(A) to identify and manage traceable, reliable, and complete records, including maps and other drawings, critical to ensuring proper pressure controls for a gas distribution system, and updating these records as needed, while collecting and identifying other records necessary for risk analysis on an opportunistic basis; and

''(B) to ensure that the records required under subparagraph (A) are—

''(i) accessible to all personnel responsible for performing or overseeing relevant construction or engineering work; and

''(ii) submitted to, or made available for inspection by, the Secretary or the relevant State authority with a certification in effect under section 60105.

''(2) PRESENCE OF QUALIFIED EMPLOYEES.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall promulgate regulations to require that not less than 1 agent of an operator of a distribution system who is qualified to perform relevant covered tasks (as defined in section 192.801(b) of title 49, Code of Federal Regulations (or a successor regulation)) shall monitor gas pressure at the district regulator station or at an alternative site with equipment capable of ensuring proper pressure controls and have the capability to promptly shut down the flow of gas or control over pressurization at a district regulator station during any construction project that has the potential to cause a hazardous overpressurization at that station, including tie-ins and abandonment of distribution lines and mains, based on an evaluation, conducted by the operator, of threats that could result in unsafe operation.

''(B) EXCLUSION.—In promulgating regulations under subparagraph (A), the Secretary shall ensure that those regulations do not apply to a district regulating station that has a monitoring system and the capability for remote or automatic shutoff.

''(3) DISTRICT REGULATOR STATIONS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall promulgate regulations to require that each operator of a distribution system assesses and upgrades, as appropriate, each district regulator station of the operator to ensure that—

''(i) the risk of the gas pressure in the distribution system exceeding, by a common mode of failure, the maximum allowable operating pressure (as described in section 192.623 of title 49, Code of Federal Regulations (or a successor regulation)) allowed under Federal law (including regulations) is minimized;

''(ii) the gas pressure of a low-pressure distribution system is monitored, particularly at or near the location of critical pressure-control equipment;

''(iii) the regulator station has secondary or backup pressure-relieving or overpressure-protection safety technology, such as a relief valve or automatic shutoff valve, or other pressure-limiting devices appropriate for the configuration and siting of the station and, in the case of a regulator station that employs the primary and monitor regulator design, the operator shall eliminate the common mode of failure or provide backup protection capable of either shutting the flow of gas, relieving gas to the atmosphere to fully protect the distribution system from overpressurization events, or there must be technology in place to eliminate a common mode of failure; and

''(iv) if the Secretary determines that it is not operationally possible for an operator to implement the requirements under clause (iii), the Secretary shall require such operator to identify actions in their plan that minimize the risk of an overpressurization event.''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 4 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 6, 2020, at 9 a.m., in Open Session to consider the nomination of Mr. Jason A. Abend to be Inspector General of the Department of Defense; Mr. Bradley D. Hansell to be Deputy Under Secretary of Defense for Intelligence and Security; Mr. Lucas N. Polakowski to be Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs; and Mr. Louis W. Bremer to be Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Committee on Thursday, August 6, 2020, at 10 a.m. The committee will hold a full committee nominations hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, August 6, 2020, at 10:30 a.m. to hold a full committee hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Senate Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, August 6, 2020, at 10 a.m. in order to conduct a hearing entitled, ''Oversight of DHS Personnel Deployments to Recent Protests.''

AUTHORIZING THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 676, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 676) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

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 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 resolution (S. Res. 676) was agreed to.

The preamble was agreed to.

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

NATIONAL AIRBORNE DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 677, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 677) designating August 16, 2020, as ''National Airborne Day''.

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, 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 resolution (S. Res. 677) was agreed to.

The preamble was agreed to.

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

NATIONAL CHILD AWARENESS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 678, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 678) designating September 2020 as ''National Child Awareness Month'' to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.