

(Ms. BALDWIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 4155

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 4155, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 4494

At the request of Ms. HASSAN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4494, a bill to amend title VI of the Social Security Act to extend the period with respect to which amounts under the Coronavirus Relief Fund may be expended.

S. 4547

At the request of Mr. MCCONNELL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 4547, a bill to improve the integrity and safety of horseracing by requiring uniform safety and performance standards, including a horseracing anti-doping and medication control program and a racetrack safety program to be developed and enforced by an independent Horseracing Integrity and Safety Authority, and for other purposes.

S. 4805

At the request of Mr. CRUZ, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 4805, a bill to create a point of order against legislation modifying the number of Justices of the Supreme Court of the United States.

S. 4847

At the request of Ms. KLOBUCHAR, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 4847, a bill to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the effects of the COVID-19 pandemic on the travel and tourism industry in the United States, and for other purposes.

S. 4933

At the request of Ms. CORTEZ MASTO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4933, a bill to provide increased oversight of certain pardons, to clarify the applicability of bribery prohibitions to pardons and commutations, and for other purposes.

S. 4935

At the request of Mr. WYDEN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from New

Jersey (Mr. MENENDEZ) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 4935, a bill to provide continued assistance to unemployed workers.

S.J. RES. 76

At the request of Mr. CRUZ, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S.J. Res. 76, a joint resolution proposing an amendment to the Constitution of the United States to require that the Supreme Court of the United States be composed of nine justices.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 794—URGING THE EUROPEAN PARLIAMENT TO EXEMPT CERTAIN TECHNOLOGIES USED TO DETECT CHILD SEXUAL EXPLOITATION FROM EUROPEAN UNION PRIVACY DIRECTIVE

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

S. RES. 794

Whereas ensuring the safety of children online is a global issue that nations must address together;

Whereas the online trafficking of child sexual abuse material (referred to in this preamble as "CSAM") and online enticement of children (also known as "grooming") are pervasive problems that are growing at dramatic rates;

Whereas crucial tools in detecting CSAM and grooming online and protecting children using online platforms from child predators are hashing, PhotoDNA, and anti-grooming technologies that are voluntarily used by electronic service providers (referred to in this preamble as "ESPs") to detect, report, and remove CSAM;

Whereas the use of hashing, PhotoDNA, and anti-grooming technology by ESPs has generated millions of reports annually to the CyberTipline of the National Center for Missing & Exploited Children;

Whereas the CyberTipline is a global hotline for reports related to child sexual exploitation that was authorized by Congress in 1998;

Whereas in 2019, more than 69,000,000 images, videos, and files related to child sexual abuse were reported to the CyberTipline, with more than 3,000,000 of these images, videos, and files related to an offender or child victim in the European Union (referred to in this preamble as the "EU");

Whereas in a Communication to the European Parliament, dated July 24, 2020, the European Commission noted, "the EU has become the largest host of child sexual abuse material globally (from more than half in 2016 to more than two thirds in 2019)";

Whereas in 2018, an EU Directive extended the scope of prohibitions on processing personal data in the electronic communications sector to cover interpersonal communications, such as messenger services and e-mail;

Whereas this EU Directive will cause ESPs to lose any legal basis to use hashing, PhotoDNA, and anti-grooming technologies to detect and report CSAM and online enticement of children to the CyberTipline;

Whereas this EU Directive will take effect December 21, 2020, which still allows time to amend this Directive to exempt the vol-

untary practice of using these technologies to detect and report distribution of CSAM and enticement of children for sexual abuse;

Whereas the prohibition on the use of hashing, PhotoDNA, and anti-grooming technologies could have dire consequences for children in Europe and globally;

Whereas it is unclear whether ESPs—

(1) will be able to partition the use of hashing, PhotoDNA, and anti-grooming technologies to carve out users in the EU; and

(2) will decide to abandon the voluntary use of these technologies in the United States and globally;

Whereas since children in the United States can be harmed by online predators in the EU through grooming, enticement, and the dissemination of CSAM images among EU offenders, such material should be detected, reported, and removed;

Whereas if the use of hashing, PhotoDNA, and anti-grooming technologies for detecting CSAM and grooming is stopped, the exploitation of children globally will largely go undetected and continue to proliferate; and

Whereas Congress agrees with the European Commission that "immediate action must be taken to address this issue";

Now, therefore, be it

Resolved, That the Senate—

(1) finds that hashing, PhotoDNA, and anti-grooming technologies are essential in detecting child sexual abuse material and exploitation online, including known and new CSAM, and grooming of children globally; and

(2) urges the European Parliament to pass an interim regulation to allow electronic service providers to continue their current voluntary activities of using hashing, PhotoDNA, and anti-grooming technologies for the purpose of detecting child sexual exploitation.

SENATE RESOLUTION 795—RELATING TO THE DEATH OF THE HONORABLE ROGER WILLIAM JEPSEN, FORMER UNITED STATES SENATOR FOR THE STATE OF IOWA

Mr. GRASSLEY (for himself and Ms. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 795

Whereas Roger William Jepsen was born in Cedar Falls, Iowa, and grew up on a nearby family farm;

Whereas Roger William Jepsen attended Iowa State Teachers College, which is known today as the University of Northern Iowa, and later attended Arizona State University, where he earned a bachelor's degree in psychology in 1950 and a master's degree in guidance counseling in 1953;

Whereas Roger William Jepsen served his country in the United States Army for 14 years as a paratrooper in the 82nd Airborne Division and later in the Army Reserve;

Whereas Roger William Jepsen was elected to the Board of Supervisors of Scott County, Iowa, as an Iowa State Senator, and as the Lieutenant Governor of Iowa;

Whereas Roger William Jepsen was elected to the Senate in 1978 and served the people of Iowa in the Senate with honor and distinction for 1 term;

Whereas Roger William Jepsen was appointed by President Reagan as Special Representative of the President to Madagascar in 1985 and to the State of Israel on the occasion of the funeral of Moshe Dayan; and

Whereas Roger William Jepsen was known for his dedication to the State of Iowa, his

fiscal responsibility, and his work on farm policy: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Roger William Jepsen, former member of the United States Senate from the State of Iowa;

(2) the Senate respectfully requests that the Secretary of the Senate—

(A) communicate this resolution to the House of Representatives; and

(B) transmit an enrolled copy of this resolution to the family of the Honorable Roger William Jepsen; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Roger William Jepsen.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2692. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2054, to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 2693. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 1503, to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

TEXT OF AMENDMENTS

SA 2692. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2054, to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation; which was referred to the Committee on Banking, Housing, and Urban Affairs; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) On September 11, 2012, the United States consulate, and its personnel in Benghazi, Libya, were attacked by militants.

(2) Four Americans were killed in the attack, including Ambassador J. Christopher Stevens, Sean Smith, Glen Doherty, and Tyrone Woods.

(3) Glen Doherty and Tyrone Woods were former Navy SEALs who served as security personnel in Libya. As the attack unfolded, they bravely attempted to defend American property and protect United States diplomatic personnel. In so doing, they selflessly sacrificed their own lives.

(4) Glen Doherty was a Navy SEAL for 12 years and served in Iraq and Afghanistan. He attained the rank of Petty Officer First Class and earned the Navy and Marine Corps Commendation Medal. After leaving the Navy, Glen Doherty worked with the Department of State to protect American diplomats.

(5) Tyrone Woods served for 20 years as a Navy SEAL including tours in Iraq and Afghanistan. In Iraq he led multiple raids and reconnaissance missions and earned the Bronze Star. After retiring from the Navy as a Senior Chief Petty Officer, Tyrone Woods worked with the Department of State to protect American diplomats.

(6) J. Christopher Stevens served for 21 years in the U.S. Foreign Service. He was serving as U.S. Ambassador to Libya and previously served twice in the country, as both Special Representative to the Libyan Transitional National Council and as the Deputy Chief of Mission. Earlier in his life, he also served as a Peace Corps volunteer teaching English in Morocco.

(7) Sean Smith served for 6 years in the U.S. Air Force. He attained the rank of Staff Sergeant and was awarded the Air Force Commendation Medal. After leaving the Air Force, Sean Smith served for 10 years in the State Department on various assignments, which took him to places such as Baghdad, Brussels, Pretoria, and The Hague.

(8) As their careers attest, all four men served their country honorably.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous award, on behalf of the Congress, of a single gold medal of appropriate design collectively in commemoration of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) CENTRAL INTELLIGENCE AGENCY MUSEUM.—

(1) IN GENERAL.—Following the award of the gold medal under subsection (a), the gold medal shall be given to the Central Intelligence Agency Museum, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Central Intelligence Agency Museum should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other appropriate locations associated with Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SA 2693. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 1503, to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Orange Book Transparency Act of 2020”.

SEC. 2. ORANGE BOOK MODERNIZATION.

(a) SUBMISSION OF PATENT INFORMATION FOR BRAND NAME DRUGS.—

(1) IN GENERAL.—Paragraph (1) of section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) is amended to read as follows:

“(b)(1)(A) Any person may file with the Secretary an application with respect to any drug subject to the provisions of subsection (a). Such persons shall submit to the Secretary as part of the application—

“(i) full reports of investigations which have been made to show whether such drug is safe for use and whether such drug is effective in use;

“(ii) a full list of the articles used as components of such drug;

“(iii) a full statement of the composition of such drug;

“(iv) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug;

“(v) such samples of such drug and of the articles used as components thereof as the Secretary may require;

“(vi) specimens of the labeling proposed to be used for such drug;

“(vii) any assessments required under section 505B; and

“(viii) the patent number and expiration date of each patent for which a claim of patent infringement could reasonably be asserted if a person not licensed by the owner of the patent engaged in the manufacture, use, or sale of the drug, and that—

“(I) claims the drug for which the applicant submitted the application and is a drug substance (active ingredient) patent or a drug product (formulation or composition) patent; or

“(II) claims a method of using such drug for which approval is sought or has been granted in the application.

“(B) If an application is filed under this subsection for a drug, and a patent of the type described in subparagraph (A)(viii) is issued after the filing date but before approval of the application, the applicant shall amend the application to include the patent number and expiration date.”.

(b) SUBSEQUENT SUBMISSION OF PATENT INFORMATION.—

(1) IN GENERAL.—Section 505(c)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(c)(2)) is amended—

(A) by inserting before the first sentence the following: “Not later than 30 days after the date of approval of an application submitted under subsection (b), the holder of the approved application shall file with the Secretary the patent number and the expiration date of any patent described in subsection (b)(1)(A)(viii), except that a patent that is identified as claiming a method of using such drug shall be filed only if the patent claims a method of use approved in the application. If a patent described in subsection (b)(1)(A)(viii) is issued after the date of approval of an application submitted under subsection (b), the holder of the approved application shall, not later than 30 days after the date of issuance of the patent, file the patent number and the expiration date of the patent, except that a patent that claims a method of using such drug shall be filed only if approval for such use has been granted in the application.”;

(B) in the first sentence following the sentences added by subparagraph (A), by striking “which claims the drug for which” and all that follows through “of the drug.” and inserting “described in subsection (b)(1)(A)(viii).”;

(C) in the second sentence following the sentences added by subparagraph (A), by inserting after “could not file patent information under subsection (b) because no patent” the following: “of the type for which information is required to be submitted in subsection (b)(1)(A)(viii).”;

(D) by adding at the end the following: “Patent information that is not the type of patent information required by subsection