

S. YEARBY, which nominations were received by the Senate and appeared in the Congressional Record of November 18, 2020.

IN THE SPACE FORCE

PN2328 SPACE FORCE nominations (58) beginning ISRAEL ABENSUR, and ending DEVIN LEE ZUFELT, which nominations were received by the Senate and appeared in the Congressional Record of November 12, 2020.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

MESSAGE FROM THE HOUSE
RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on December 11, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 6395. An act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 8900. An act making further continuing appropriations for fiscal year 2021, and for other purposes.

Under the authority of the order of the Senate of January 3, 2019, the enrolled bills were signed on December 11, 2020, during the adjournment of the Senate, by the Acting President pro tempore (Ms. MURKOWSKI).

MEASURES PLACED ON THE
CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 5014. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on December 11, 2020, she had presented to the President of the United States the following enrolled bills:

S. 134. An act to amend title 18, United States Code, with regard to stalking.

S. 199. An act to provide for the transfer of certain Federal land in the State of Minnesota to the benefit of the Leech Lake Band of Ojibwe.

S. 578. An act to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insur-

ance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 1014. An act to establish the Route 66 Centennial Commission, and for other purposes.

S. 1153. An act to explicitly make unauthorized access to Department of Education information technology systems and the misuse of identification devices issued by the Department of Education a criminal act.

S. 2258. An act to provide anti-retaliation protections for antitrust whistleblowers.

S. 2904. An act to direct the Director of the National Science Foundation to support research on the outputs that may be generated by generative adversarial networks, otherwise known as deepfakes, and other comparable techniques that may be developed in the future, and for other purposes.

S. 2981. An act to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 3703. An act to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.

S. 4902. An act to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the "Orrin G. Hatch United States Courthouse".

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 92. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law (Rept. No. 116-311).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2162. A bill to require the Commissioner of U.S. Customs and Border Protection to annually hire at least 600 new Border Patrol agents, to report quarterly to Congress on the status of the Border Patrol workforce, and to conduct a comprehensive staffing analysis (Rept. No. 116-312).

S. 2722. A bill to prohibit agencies from using Federal funds for publicity or propaganda purposes, and for other purposes (Rept. No. 116-313).

S. 2967. A bill to establish the Commission on Intergovernmental Relations of the United States to facilitate the fullest cooperation, coordination, and mutual accountability among all levels of government, and for other purposes (Rept. No. 116-314).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3038. A bill to promote innovative acquisition techniques and procurement strategies, and for other purposes (Rept. No. 116-315).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 3658. A bill to establish an Office of Equal Rights and Community Inclusion at the Federal Emergency Management Agency, and for other purposes (Rept. No. 116-316).

S. 3997. A bill to strengthen the security and integrity of the United States scientific and research enterprise (Rept. No. 116-317).

S. 4153. A bill to require the Federal Emergency Management Agency to evaluate the National Response Framework based on les-

sons learned from the COVID-19 pandemic, and for other purposes (Rept. No. 116-318).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments and an amendment to the title:

S. 4158. A bill to examine the extent of the reliance of the United States on foreign producers for personal protective equipment during the COVID-19 pandemic and produce recommendations to secure the supply chain of personal protective equipment (Rept. No. 116-319).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 4165. A bill to repeal section 692 of the Post-Katrina Emergency Management Reform Act of 2006 (Rept. No. 116-320).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 4210. A bill to amend the Homeland Security Act of 2002 to authorize the transfer of certain equipment during a public health emergency, and for other purposes (Rept. No. 116-321).

S. 4224. A bill to require the Secretary of Homeland Security to assess technology needs along the Southern border and develop a strategy for bridging such gaps (Rept. No. 116-322).

H.R. 1313. An act to amend the Implementing Recommendations of the 9 11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes (Rept. No. 116-323).

SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORNYN (for himself and Mr. BLUMENTHAL):

S. Con. Res. 52. A concurrent resolution to correct the enrollment of S. 3312; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2561

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 3020

At the request of Ms. BALDWIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3020, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to award grants to States to promote health and wellness, prevent suicide, and improve outreach to veterans, and for other purposes.

S. 3072

At the request of Mrs. HYDE-SMITH, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 3072, a bill to amend the Federal

Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes.

S. 3189

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3189, a bill to use proceeds from spectrum auctions to support supply chain innovation and multilateral security.

S. 3418

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 3418, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide hazard mitigation assistance to reduce risks from disasters and natural hazards, and other related environmental harm.

S. 3612

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Michigan (Ms. STABENOW) 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. 4730

At the request of Ms. CORTEZ MASTO, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 4730, a bill to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue quarter dollars in commemoration of the Nineteenth Amendment, and for other purposes.

S. 4860

At the request of Mr. PORTMAN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 4860, a bill to exempt payments made from the Railroad Unemployment Insurance Account from sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985.

S. 4927

At the request of Mr. KING, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4927, a bill to exclude EIDL advance amounts from the calculation of loan forgiveness under the paycheck protection program, and for other purposes.

S. 4935

At the request of Mr. WYDEN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4935, a bill to provide continued assistance to unemployed workers.

S. 4966

At the request of Mrs. CAPITO, the names of the Senator from Iowa (Mr.

GRASSLEY) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 4966, a bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the carbon oxide sequestration credit, and for other purposes.

S. RES. 774

At the request of Mr. BOOZMAN, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 774, a resolution honoring the United Nations World Food Programme on the occasion of being awarded the 2020 Nobel Peace Prize.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2705. Mr. MCCONNELL (for Mr. THUNE) proposed an amendment to the bill S. 2597, to require the National Oceanic and Atmospheric Administration to make certain operational models available to the public, and for other purposes.

SA 2706. Mr. MCCONNELL (for Mr. WICKER) proposed an amendment to the bill H.R. 4704, to direct the Director of the National Science Foundation to support multidisciplinary research on the science of suicide, and to advance the knowledge and understanding of issues that may be associated with several aspects of suicide including intrinsic and extrinsic factors related to areas such as wellbeing, resilience, and vulnerability.

SA 2707. Mr. MCCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill S. 1636, to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity.

TEXT OF AMENDMENTS

SA 2705. Mr. MCCONNELL (for Mr. THUNE) proposed an amendment to the bill S. 2597, to require the National Oceanic and Atmospheric Administration to make certain operational models available to the public, 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 “Learning Excellence and Good Examples from New Developers Act of 2020” or the “LEGEND Act of 2020”.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term “Administration” means the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATOR.—The term “Administrator” means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

(3) EARTH PREDICTION INNOVATION CENTER.—The term “Earth Prediction Innovation Center” means the community global weather research modeling system described in paragraph (5)(E) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 4(g).

(4) MODEL.—The term “model” means any vetted numerical model and associated data assimilation of the Earth’s system or its components—

(A) developed, in whole or in part, by scientists and engineers employed by the Administration; or

(B) otherwise developed using Federal funds.

(5) OPERATIONAL MODEL.—The term “operational model” means any model that has an output used by the Administration for operational functions.

(6) SUITABLE MODEL.—The term “suitable model” means a model that meets the requirements described in paragraph (5)(E)(ii) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 4(g), as determined by the Administrator.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to support innovation in modeling by allowing interested stakeholders to have easy and complete access to the models used by the Administration, as the Administrator determines appropriate; and

(2) to use vetted innovations arising from access described in paragraph (1) to improve modeling by the Administration.

SEC. 4. PLAN AND IMPLEMENTATION OF PLAN TO MAKE CERTAIN MODELS AND DATA AVAILABLE TO THE PUBLIC.

(a) IN GENERAL.—The Administrator shall develop and implement a plan to make available to the public the following:

(1) Operational models developed by the Administration.

(2) Models that are not operational models, including experimental and developmental models, as the Administrator determines appropriate.

(3) Applicable information and documentation for models described in paragraphs (1) and (2).

(4) Subject to section 7, all data owned by the Federal Government and data that the Administrator has the legal right to redistribute that are associated with models made available to the public pursuant to the plan and used in operational forecasting by the Administration, including—

(A) relevant metadata;

(B) data used for operational models used by the Administration as of the date of the enactment of this Act; and

(C) a description of intended model outputs.

(b) ACCOMMODATIONS.—In developing and implementing the plan under subsection (a), the Administrator may make such accommodations as the Administrator considers appropriate to ensure that the public release of any model, information, documentation, or data pursuant to the plan under subsection (a) does not jeopardize—

(1) national security;

(2) intellectual property or redistribution rights, including under titles 17 and 35, United States Code;

(3) any trade secret or commercial or financial information subject to section 552(b)(4) of title 5, United States Code;

(4) any models or data that are otherwise restricted by contract or other written agreement; or

(5) the mission of the Administration to protect lives and property.

(c) PRIORITY.—In developing and implementing the plan under subsection (a), the Administrator shall prioritize making available to the public the models described in subsection (a)(1).

(d) EXCLUSION OF CERTAIN MODELS.—In developing and implementing the plan under subsection (a), the Administrator may exclude models that the Administrator determines will be retired or superseded in fewer than 5 years after the date of the enactment of this Act.

(e) PLATFORMS.—In carrying out subsections (a) and (b), the Administrator may