

(3) The National Science Foundation funds research that is improving our basic understanding of factors with potential relevance to suicide, including potential relevance to prevention and treatment.

(4) Despite progress in mental health research, current gaps exist in scientific understanding and basic knowledge of human neural, genetic, cognitive, perceptual, behavioral, social, and environmental factors with potential relevance to suicide.

### SEC. 3. NATIONAL SCIENCE FOUNDATION RESEARCH.

(a) IN GENERAL.—The Director of the National Science Foundation, in consultation with the Director of the National Institutes of Health and the Director of the National Institute of Mental Health and taking into consideration prioritized research agendas or strategic plans, as appropriate, shall, subject to the availability of appropriations, award grants on a competitive, merit-reviewed basis to institutions of higher education (or consortia of such institutions) to support multidisciplinary, fundamental research with potential relevance to suicide, including potential relevance to prevention and treatment, including, but not limited to—

(1) basic understanding of human social behavior;

(2) the neural basis of human cognition;

(3) basic understanding of cognitive, linguistic, social, cultural, and biological processes related to human development across the lifespan;

(4) basic understanding of perceptual, motor, and cognitive processes, and their interaction, in typical human behavior; and

(5) basic understanding of the relevance of drug and alcohol abuse.

(b) ENCOURAGING APPLICATIONS FROM EARLY CAREER RESEARCHERS.—To promote the development of early career researchers, in awarding funds under subsection (a), the Director of the National Science Foundation shall encourage applications submitted by early career researchers, including doctoral students or postdoctoral researchers.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 4704), as amended, was passed.

### ENSURING INNOVATION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1636 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1636) to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Alexander amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2707), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

### SECTION 1. CLARIFYING THE MEANING OF NEW CHEMICAL ENTITY.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended—

(1) in section 505 (21 U.S.C. 355)—

(A) in subsection (c)(3)(E), by striking “active ingredient (including any ester or salt of the active ingredient)” each place it appears and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations))”;

(B) in subsection (j)(5)(F), by striking “active ingredient (including any ester or salt of the active ingredient)” each place it appears and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations))”;

(C) in subsection (l)(2)(A)—

(i) by amending clause (i) to read as follows:

“(i) not later than 30 days after the date of approval of such applications—

“(I) for a drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under this section; or

“(II) for a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act; and”; and

(ii) in clause (ii), by inserting “or biological product” before the period;

(D) by amending subsection (s) to read as follows:

“(s) REFERRAL TO ADVISORY COMMITTEE.—The Secretary shall—

“(1) refer a drug or biological product to a Food and Drug Administration advisory committee for review at a meeting of such advisory committee prior to the approval of such drug or biological if it is—

“(A) a drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under this section; or

“(B) a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act; or

“(2) if the Secretary does not refer a drug or biological product described in paragraph (1) to a Food and Drug Administration advisory committee prior to such approval, provide in the action letter on the application for the drug or biological product a summary of the reasons why the Secretary did not refer the drug or biological product to an advisory committee prior to approval.”; and

(E) in subsection (u)(1), in the matter preceding subparagraph (A)—

(i) by striking “active ingredient (including any ester or salt of the active ingredient)” and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations))”; and

(ii) by striking “same active ingredient” and inserting “same active moiety”;

(2) in section 512(c)(2)(F) (21 U.S.C. 360b(c)(2)(F)), by striking “active ingredient (including any ester or salt of the active ingredient)” each place it appears and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of

Federal Regulations (or any successor regulations))”;

(3) in section 524(a)(4) (21 U.S.C. 360n(a)(4)), by amending subparagraph (C) to read as follows:

“(C) is for—

“(i) a human drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under section 505(b)(1); or

“(ii) a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act.”;

(4) in section 529(a)(4) (21 U.S.C. 360ff(a)(4)), by striking subparagraphs (A) and (B) and inserting the following:

“(A) is for a drug or biological product that is for the prevention or treatment of a rare pediatric disease;

“(B)(i) is for such a drug—

“(I) that contains no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) that has been previously approved in any other application under subsection (b)(1), (b)(2), or (j) of section 505; and

“(II) that is the subject of an application submitted under section 505(b)(1); or

“(ii) is for such a biological product—

“(I) that contains no active ingredient that has been previously approved in any other application under section 351(a) or 351(k) of the Public Health Service Act; and

“(II) that is the subject of an application submitted under section 351(a) of the Public Health Service Act.”; and

(5) in section 565A(a)(4) (21 U.S.C. 360bbb-4a(a)(4)), by amending subparagraph (D) to read as follows:

“(D) is for—

“(i) a human drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under section 505(b)(1); or

“(ii) a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act.”;

(b) TECHNICAL CORRECTIONS.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq) is amended—

(1) in section 505 (21 U.S.C. 355)—

(A) in subsection (c)(3)(E), by repealing clause (i); and

(B) in subsection (j)(5)(F), by repealing clause (i); and

(2) in section 505A(c)(1)(A)(i)(II) (21 U.S.C. 355a(c)(1)(A)(i)(II)), by striking “(c)(3)(D)” and inserting “(c)(3)(E)”.

The bill (S. 1636), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

### CORRECTING THE ENROLLMENT OF S. 3312

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 52.

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

The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 52) to correct the enrollment of S. 3312.

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

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion 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 concurrent resolution (S. Con. Res. 52) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

## ORDERS FOR TUESDAY, DECEMBER 15, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 15; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session to resume consideration of the Kirsch nomination; further, that the Senate recess at 12:30 until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during recess, adjournment, leader remarks, and morning business count postcloture on the Kirsch nomination.

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

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:10 p.m., adjourned until Tuesday, December 15, 2020, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate December 14, 2020:

### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14 U.S.C., SECTION 2121(E):

#### To be rear admiral (lower half)

CAPT. MICHAEL H. DAY  
CAPT. MARY M. DEAN  
CAPT. CHARLES E. FOSSE  
CAPT. CHAD L. JACOBY  
CAPT. CAROLA J. G. LIST  
CAPT. MICHAEL W. RAYMOND  
CAPT. EDWARD M. ST. PIERRE

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major general

BRIG. GEN. AUSTIN E. RENFORTH

### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

### To be brigadier general

COL. GUY M. JONES

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. MICHAEL T. PLEHN

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be vice admiral

REAR ADM. JEFFREY W. HUGHES

### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. PATRICK J. COBB  
BRIG. GEN. NICHOLAS A. GENTILE, JR.  
BRIG. GEN. MICHAEL T. GEROCK  
BRIG. GEN. DUKE A. PIRAK  
BRIG. GEN. DARRIN E. SLATEN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. MATTHEW D. DINMORE  
BRIG. GEN. GENE W. HUGHES, JR.  
BRIG. GEN. TONI M. LORD  
BRIG. GEN. PETER NEZAMIS  
BRIG. GEN. GREGG A. PEREZ  
BRIG. GEN. THOMAS M. SUEZLER  
BRIG. GEN. MARK A. WEBER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. SANDRA L. BEST  
BRIG. GEN. CHARLES G. JEFFRIES  
BRIG. GEN. JAMES C. MCEACHEN  
BRIG. GEN. SHANNA M. WOYAK  
BRIG. GEN. BRETT A. WYRICK

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. JAMES R. CAMP  
BRIG. GEN. THOMAS F. GRABOWSKI  
BRIG. GEN. PAUL E. KNAPP  
BRIG. GEN. RICHARD R. NEELY  
BRIG. GEN. TORRENCE W. SAXE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. BARRY A. BLANCHARD

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. TARA D. MCKENNIE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. MATTHEW A. BARKER  
COL. MATTHEW A. BOURASSA  
COL. MICHAEL J. BRUNO  
COL. MICHAEL O. CADLE  
COL. JOHN J. CAMPO  
COL. DAVID J. CIESIELSKI  
COL. ALICE A. CLARK  
COL. DAVID V. COCHRAN  
COL. LYNN E. COLE  
COL. JOHN M. COSGROVE  
COL. KURT R. DAVIS  
COL. JASON D. DICKINSON  
COL. LEON J. DODROE  
COL. DANIEL M. FESLER  
COL. EMIL J. FILKORN  
COL. ROBERT T. GREGORY  
COL. DAVID B. JOHNSON  
COL. MICHELE L. KILGORE  
COL. BRADFORD U. LARSON  
COL. VICTOR R. MACIAS  
COL. DEAN B. MARTIN, JR.

COL. DANIEL R. MCDONOUGH  
COL. ALLISON C. MILLER  
COL. MARK W. MITCHUM  
COL. MICHELLE R. MULBERRY  
COL. BILLY F. MURPHY, JR.  
COL. JOHN R. O'CONNOR  
COL. DAVID A. PREISMAN  
COL. JORI A. ROBINSON  
COL. SHANNON D. SMITH  
COL. BRYONY A. TERRELL

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. JEFFREY R. ALEXANDER  
COL. MARK A. GOODWILL  
COL. MARK A. MUCKEY  
COL. RICK L. MUTCHLER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. JOHN H. BONDHUS  
COL. JEFFREY D. COATS  
COL. SEAN F. CONROY  
COL. MICHAEL L. CORNELL  
COL. EDWARD H. EVANS, JR.  
COL. CHRISTOPHER K. FAUROT  
COL. LAWRENCE P. HAGER  
COL. DAVID M. HOUGHLAND  
COL. CATHERINE M. JUMPER  
COL. JULIO R. LAIRET  
COL. WILLIAM M. LEAHY  
COL. JAMES R. PARRY  
COL. LYLE D. SHIDLA  
COL. TODD R. STARBUCK  
COL. MELINDA L. SUTTON  
COL. MICHAEL T. VENERDI  
COL. PETER L. ZALEWSKI

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. DENISE M. DONNELL

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be brigadier general

COL. ANTHONY D. STRATTON

AIR FORCE NOMINATION OF MICHAEL G. KING, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFREY DONALD ADLING AND ENDING WITH CHRISTOPHER D. ZAREMSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH CHIKAO DI H. AKALAO NU AND ENDING WITH TABATHA R. ZELHART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH BRIAN C. ADKINS AND ENDING WITH SCOTT C. ZETTERSTROM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH JASON W. ABSHIRE AND ENDING WITH BRIAN P. YODER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH PRISCILLA M. ADAMS AND ENDING WITH ISAAC C. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

AIR FORCE NOMINATION OF MIRIAM A. KRIEGER, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JEAN P. PELTIER AND ENDING WITH TARA L. VILLENA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

### IN THE ARMY

ARMY NOMINATION OF JOHN M. TOKISH, TO BE COLONEL.

ARMY NOMINATION OF MARK Y. LEE, TO BE COLONEL.  
ARMY NOMINATION OF ANDREW C. SINELLI, TO BE COLONEL.

ARMY NOMINATION OF PHILLIP J. ARMSTRONG, TO BE COLONEL.  
ARMY NOMINATION OF TONY D. NGUYEN, TO BE COLONEL.

ARMY NOMINATION OF MATTHEW B. HARRISON, TO BE COLONEL.  
ARMY NOMINATION OF MICHAEL S. SCIOLETTI, TO BE COLONEL.

ARMY NOMINATION OF BRANDON M. CRISP, TO BE SECOND LIEUTENANT.

### IN THE MARINE CORPS

MARINE CORPS NOMINATION OF WILLIAM J. WARKENTIN, TO BE LIEUTENANT COLONEL.  
MARINE CORPS NOMINATION OF JARED L. REDDINGER, TO BE LIEUTENANT COLONEL.