

(iii) any entity owned or controlled by, or that has acted or purported to act for or on behalf of, directly or indirectly, any foreign person identified under clause (i) or (ii); and

(iv) any foreign person that is a chief executive officer or member of the board of directors of any foreign entity identified under clause (i) or (ii); and

(B) describing the nature, objective, and outcome of the theft of trade secrets each foreign person described in subparagraph (A)(i) engaged in or benefitted from; and

(C) assessing whether any chief executive officer or member of the board of directors described in clause (iv) of subparagraph (A) engaged in, or benefitted from, activity described in clause (i) or (ii) of that subparagraph.

(2) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) **AUTHORITY TO IMPOSE SANCTIONS.**—

(1) **SANCTIONS APPLICABLE TO ENTITIES.**—In the case of a foreign entity identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the President shall impose one of the following:

(A) **BLOCKING OF PROPERTY.**—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the entity if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **INCLUSION ON ENTITY LIST.**—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(2) **SANCTIONS APPLICABLE TO INDIVIDUALS.**—In the case of an individual identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the following shall apply:

(A) **BLOCKING OF PROPERTY.**—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the individual if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **VISA BAN; EXCLUSION.**—The Secretary of State shall deny a visa to the individual and revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), any visa or other documentation of the individual, and the Secretary of Homeland Security shall exclude the individual from the United States.

(c) **IMPLEMENTATION; PENALTIES.**—

(1) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or (2)(A) of subsection (b) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful

act described in subsection (a) of that section.

(d) **NATIONAL INTEREST WAIVER.**—The President may waive the imposition of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) not more than 15 days after issuing the waiver, submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(e) **TERMINATION OF SANCTIONS.**—Sanctions imposed under subsection (b) with respect to a foreign person identified in a report submitted under subsection (a) shall terminate if the President certifies to the appropriate congressional committees, before the termination takes effect, that the person is no longer engaged in the activity identified in the report.

(f) **EXCEPTIONS.**—

(1) **INTELLIGENCE ACTIVITIES.**—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) **LAW ENFORCEMENT ACTIVITIES.**—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(3) **EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.**—Subsection (b)(2)(B) shall not apply with respect to the admission of an individual to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(g) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(1) **IN GENERAL.**—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(2) **GOOD DEFINED.**—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(h) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) **EXPORT ADMINISTRATION REGULATIONS.**—The term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(3) **FOREIGN ENTITY.**—The term “foreign entity” means an entity that is not a United States person.

(4) **FOREIGN PERSON.**—The term “foreign person” means a person that is not a United States person.

(5) **TRADE SECRET.**—The term “trade secret” has the meaning given that term in section 1839 of title 18, United States Code.

(6) **PERSON.**—The term “person” means an individual or entity.

(7) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

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

Mr. BLUNT. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3952), as amended, was passed.

Mr. BLUNT. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### AUTHORIZING THE SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE TO DELEGATE AUTHORITY TO APPROVE PAYROLL AND PERSONNEL ACTIONS

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5076 introduced earlier today.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 5076) to authorize the Sergeant at Arms and Doorkeeper of the Senate to delegate authority to approve payroll and personnel actions.

There being no objection, the Senate proceeded to consider the bill.

Mr. BLUNT. I ask unanimous consent that the bill 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 bill (S. 5076) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 5076

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORITY TO DELEGATE AUTHORITY TO APPROVE PAYROLL AND PERSONNEL ACTIONS.

Section 1201 of the Supplemental Appropriations Act, 1984 (2 U.S.C. 6598) is amended—

(1) by striking “all vouchers, for payment of moneys,” and inserting “any voucher for payment of moneys, payroll action, or personnel action”; and

(2) by striking “any voucher, for payment of moneys,” and inserting “any voucher for payment of moneys, payroll action, or personnel action”.

#### EXECUTIVE CALENDAR—Continued

VOTE ON THE AENLLE-ROCHA NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Aenlle-Rocha nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Georgia (Mr. PERDUE), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from California (Ms. HARRIS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The results was announced—yeas 80, nays 8, as follows:

[Rollcall Vote No. 284 Ex.]

#### YEAS—80

Baldwin	Graham	Reed
Barrasso	Grassley	Risch
Bennet	Hassan	Roberts
Blunt	Heinrich	Romney
Booker	Hirono	Rosen
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Schatz
Brown	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kelly	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Sullivan
Coons	Lankford	Tester
Cornyn	Leahy	Thune
Cortez Masto	Manchin	Tillis
Cotton	McConnell	Toomey
Cramer	Menendez	Udall
Crapo	Merkley	Van Hollen
Daines	Moran	Warner
Duckworth	Murkowski	Whitehouse
Durbin	Murphy	Wicker
Ernst	Murray	Wyden
Gardner	Peters	Young
Gillibrand	Portman	

#### NAYS—8

Blumenthal	Markey	Sasse
Hawley	Paul	Warren
Lee	Sanders	

#### NOT VOTING—12

Alexander	Enzi	Loeffler
Blackburn	Feinstein	Perdue
Burr	Fischer	Rounds
Crux	Harris	Stabenow

The nomination was confirmed.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to legislative session to 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.

### VOTE EXPLANATION

Mr. HEINRICH. Mr. President, I was unavoidably absent in 2019 due to a family medical emergency for rollcall votes Nos. 195, 196, 197, 198, 199, 200, 201, 202, and 203. Had I been present, I would have voted yea on votes Nos. 195 and 197 and nay on votes Nos. 196, 198, 199, 200, 201, 202, and 203.

#### H.R. 6535

Ms. MURKOWSKI. Mr. President, I rise today to address equitable treatment in Native healthcare. When the Senate Committee on Indian Affairs considered S. 3650, the companion bill to H.R. 6535, I noted the strong history of Alaska Natives and Native Hawaiians working together to ensure that there is parity in Federal policy for all Native peoples. Enactment of H.R. 6535 will address the lack of parity in Federal urban Indian health programs, and by sending this bill to the President, the Senate is making a necessary correction that will support delivery of healthcare to Native communities across the country. But, as we pass this measure, we must not forget that a lack of parity continues to persist for the Native Hawaiian healthcare Systems funded through the Native Hawaiian Health Care Improvement Act. I am therefore committed to standing with Senator SCHATZ to ensure that Native Hawaiian healthcare systems are not left behind and will work with him to address the inequitable access to Federal Tort Claims Act coverage among Native health systems in the next Congress. Together, we will continue to fight for the trust and treaty rights and access to benefits for all of our country's Native peoples.

### TRIBUTE TO DEPARTING SENATORS

Mr. CARDIN. Mr. President, the end of a Congress is a bittersweet time. We reflect with pride on our accomplishments but have a sense of wistfulness with respect to the things we have been unable to do. We look forward to the holidays, spending more time with our families, and having a bit of a respite. But we have to say good-bye to several colleagues. I would like to take a few moments to pay tribute to Senators who will not be returning when the 117th Congress convenes. They are my friends as well as my colleagues and I

will miss them and the unique attributes, skill, and devotion to public service they have brought to the Senate.

Senator CORY GARDNER is a fifth generation Coloradan firmly rooted in the State's Eastern Plains whose family has been in the farm implement business for over one century. He received his undergraduate degree from Colorado State University, where he graduated summa cum laude, and his Juris Doctor from the University of Colorado at Boulder.

While Senator GARDNER has only been in the Senate since 2015, the expression "got it in one" certainly applies to him. Perhaps that is because he previously worked in the Senate for then-Senator Wayne Allard, quickly rising to become Senator Allard's legislative director. He served for 6 years in the Colorado House of Representatives and another 4 years in the U.S. House of Representatives before being elected to the Senate in 2014.

Here in the Senate, Senator GARDNER has been a serious legislator but with a cheerful and affable and civil manner. He has worked to bridge partisan divides, particularly on energy policy, where he has been one of the Republicans' leading advocates of renewable energy. This year, the esteemed Lugar Center ranked Senator GARDNER as the third most bipartisan Senator.

I have had the opportunity to work with Senator GARDNER on the Senate Foreign Relations Committee as he led the effort to impose sanctions against North Korea in his role as chairman of the Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy. Through the committee, we also worked together to introduce legislation to enhance American maritime capacity and leadership and increase support to our allies in the Asia-Pacific region, the Asia-Pacific Maritime Security Initiative Act of 2016. I was also pleased to work with Senator GARDNER in 2019 to introduce the Wildlife Refuge System Protection Act, bipartisan legislation to provide legal authority for the U.S. Fish and Wildlife Service—USFWS—to seek damages for injury or harm on National Wildlife Refuges, National Fish Hatcheries, and other USFWS lands and waters.

My wife Myrna and I have traveled with Senator GARDNER and his wife Jaime to promote human rights abroad. His commitment to global human rights was crystal clear to Myrna and me. I will miss Senator GARDNER and his pleasant demeanor, but he is still a young man so I am confident he will find new ways to continue serving all Americans, but especially the Coloradans he has represented with distinction for the past 16 years. I wish him, Jaime, and their children Alyson, Thatcher, and Caitlyn all the best.

Senator Martha McSally has only been in the Senate for 2 years, but it is impossible not to be in awe of her true