

SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2047. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2048. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2049. Mr. VAN HOLLEN (for himself, Mr. TILLIS, Mr. WARNOCK, Mr. CARDIN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2050. Mr. RISCH (for himself, Mr. MENENDEZ, Mr. RUBIO, and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2051. Mr. BRAUN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2052. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2053. Mr. CRUZ (for himself, Mr. JOHNSON, Mr. BARRASSO, Mr. RUBIO, Mr. COTTON, and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2054. Mr. PORTMAN (for himself, Mr. HEINRICH, and Mr. LUJÁN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2055. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2056. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2057. Mr. BARRASSO (for himself, Ms. MURKOWSKI, Ms. LUMMIS, Mr. LANKFORD, Mr. CRAMER, Mrs. HYDE-SMITH, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2058. Mr. CASSIDY (for himself, Mr. DURBIN, Ms. HIRONO, Mr. COONS, Mr. WARNOCK, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2059. Mr. PADILLA (for himself, Mr. LUJÁN, Ms. CORTEZ MASTO, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2060. Mr. LEAHY (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2061. Mr. KING (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2062. Mr. SASSE (for himself and Mr. COONS) submitted an amendment intended to

be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2063. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2064. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2065. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2066. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2067. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2068. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2069. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2070. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2071. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2072. Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2073. Mr. TILLIS (for himself and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2074. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2075. Ms. HASSAN (for herself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2076. Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1835 submitted by Ms. HASSAN and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2077. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2078. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2079. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2080. Mr. KING (for himself and Mr. LANKFORD) submitted an amendment in-

tended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2081. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2082. Mr. LUJÁN (for himself, Mrs. CAPITO, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2083. Ms. CORTEZ MASTO (for herself, Mr. DURBIN, Mr. MANCHIN, Ms. HASSAN, Mr. GRASSLEY, Ms. ERNST, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2084. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1977 submitted by Mr. MERKLEY and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2085. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2086. Mr. MORAN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2087. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2088. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2089. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

SA 2090. Mr. KAINÉ (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2034.** Ms. WARREN (for herself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division E, add the following:

**SEC. 5311. REPORT ON FOREIGN INVESTMENT FROM THE PEOPLE'S REPUBLIC OF CHINA IN PHARMACEUTICAL INDUSTRY.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act,

and annually thereafter, the Federal Trade Commission, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees, the Secretary of Health and Human Services, the Committee on Foreign Investment in the United States, and the Commissioner of Food and Drugs, a report on foreign investment from the People's Republic of China in the pharmaceutical industry of the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include an assessment of—

(1) the supply chain of the pharmaceutical industry of the United States and the effect of concentration and reliance on manufacturing in the People's Republic of China within that industry;

(2) the effect of foreign investment from the People's Republic of China in the pharmaceutical industry of the United States on domestic capacity to produce drugs and active and inactive ingredients of drugs; and

(3) the effect of foreign investment from the People's Republic of China in technologies or other products for sequencing or storage of DNA, including genome and exome analysis, in the United States, including the effect of such investment on the capacity to sequence or store DNA in the United States.

(c) AUTHORITY.—The Federal Trade Commission shall have authority under section 6 of the Federal Trade Commission Act (15 U.S.C. 46) to conduct the studies required to prepare the report required by subsection (a).

(d) PUBLICATION.—The Federal Trade Commission shall publish an unclassified summary of the report required by subsection (a) on a publicly available internet website of the Commission.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(2) the Committee on Financial Services, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**SA 2035.** Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 261, strike lines 16 through 23 and insert the following:

Research of the National Science Foundation;

“(E) ensuring that at least one eligible consortium designated as a regional technology hub is headquartered in a low population State that is eligible to receive funding from the Established Program to Stimulate Competitive Research of the National Science Foundation; and

“(F) ensuring that no eligible consortium that is located in a State in which a national

laboratory is also located is designated as a regional technology hub.

**SA 2036.** Mr. BARRASSO (for himself, Mr. RISCH, Mr. CRUZ, Mr. CRAMER, Mr. CRAPO, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division C, add the following:

**SEC. 3117. PROHIBITION ON RESTRICTIONS ON POWER-GENERATION PROJECTS BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION IN CERTAIN COUNTRIES.**

(a) PROHIBITION ON CERTAIN RESTRICTIONS ON POWER-GENERATION PROJECTS.—The United States International Development Finance Corporation (in this section referred to as the “Corporation”) shall not implement or enforce any rule, regulation, policy, procedure, or guideline that would prohibit or restrict the source of energy used by a power-generation project the purpose of which is to provide affordable electricity in an IDA-eligible country or an IDA-blend country.

(b) LIMITATION ON BOARD.—The Board of the Corporation shall not, whether directly or through authority delegated by the Board, reject a power-generation project in an IDA-eligible country or an IDA-blend country based on the source of energy used by the project.

(c) ALL-OF-THE-ABOVE ENERGY DEVELOPMENT STRATEGY.—The Corporation shall promote a technology- and fuel-neutral, all-of-the-above energy development strategy for IDA-eligible countries and an IDA-blend countries that includes the use of oil, natural gas, coal, hydroelectric, wind, solar, and geothermal power and other sources of energy.

(d) DEFINITIONS.—In this section:

(1) IDA-ELIGIBLE COUNTRY.—The term “IDA-eligible country” means a country eligible for support from the International Development Association and not the International Bank for Reconstruction and Development.

(2) IDA-BLEND COUNTRY.—The term “IDA-blend country” means a country eligible for support from both the International Development Association and the International Bank for Reconstruction and Development.

**SA 2037.** Mr. PORTMAN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

**SEC. 25. REGULATION OF FOREIGN MANUFACTURERS OF CYLINDERS USED IN TRANSPORTING HAZARDOUS MATERIALS.**

(a) DEFINITIONS.—In this section:

(1) CYLINDER.—The term “cylinder” means any cylinder specified under any of sections 178.36 through 178.68 of title 49, Code of Federal Regulations (or successor regulations).

(2) FOREIGN MANUFACTURER OF CYLINDERS; FMOC.—The term “foreign manufacturer of cylinders” or “FMOC” means an entity that manufactures cylinders outside of the United States that are intended to be represented, marked, certified, or sold as qualified for use in transporting a hazardous material in commerce in the United States.

(3) IN GOOD STANDING.—The term “in good standing”, with respect to an FMOC, means that the FMOC—

(A) is approved by the Secretary pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation); and

(B) has demonstrated 3 years of compliance with—

(i) part 107 of title 49, Code of Federal Regulations (or successor regulations); and

(ii) chapter 51 of title 49, United States Code.

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(b) APPROVAL OF FOREIGN MANUFACTURERS OF CYLINDERS.—

(1) IN GENERAL.—The Secretary shall promulgate regulations to provide that an approval provided to an FMOC pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), shall be for a period of not longer than 1 year, except as provided under paragraph (2).

(2) 5-YEAR APPROVAL.—The Secretary may provide a 5-year approval of an FMOC pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), if the following requirements are met:

(A) The FMOC attests that none of the cylinders made by the FMOC are prohibited from entry to the United States under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(B) The FMOC certifies that—

(i) the information provided pursuant to subsection (f) is accurate; and

(ii) the FMOC has a proactive responsibility to inform the Secretary if any such information materially changes.

(C) The FMOC provides proof of the minimum financial responsibility required under subsection (c).

(D) The Secretary determines that the FMOC is in good standing.

(3) FACILITY INSPECTIONS.—

(A) DEFINITION OF OBSTRUCTS.—In this subsection, the term “obstructs” means taking actions that are known, or reasonably should be known, to prevent, hinder, or impede an inspection.

(B) PENALTIES.—The Secretary may suspend or terminate an approval of an FMOC if the FMOC obstructs or prevents the Secretary from carrying out an inspection under section 107.807(c) of title 49, Code of Federal Regulations (or a successor regulation).

(4) INTERACTION WITH OTHER STATUTES, AGREEMENTS, REGULATIONS.—Nothing in this section may be construed to prevent the harmonization of cylinder standards otherwise authorized by law (including regulations).

(5) OTHER CAUSE FOR SUSPENSION OR TERMINATION.—The Secretary may suspend or terminate an approval of an FMOC on determination that the FMOC knowingly or intentionally misrepresented responses to the Secretary required by law (including regulations), including subsections (c) and (f).

(c) **PROOF OF MINIMUM FINANCIAL RESPONSIBILITY REQUIRED AT TIME OF APPLICATION.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to establish minimum levels of financial responsibility required for entities to receive approval pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation).

(d) **REEVALUATION BY REQUEST FOR RELATED VIOLATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to establish a process for any interested party to request a reevaluation of the approval of FMOC cylinders under section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), to review the accuracy and safety of the actions of the FMOC.

(2) **PETITION FOR REEVALUATION.**—The regulations promulgated under paragraph (1) shall allow an interested party to file a petition if that party has evidence of inaccurate, changed, or fraudulent attestations or responses made by an FMOC to the Secretary under subsection (b), (c), or (f).

(e) **NOTICE AND COMMENT FOR APPLICATIONS BY FOREIGN MANUFACTURERS OF CYLINDERS.**—On receipt of an application for approval under section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), the Secretary shall timely publish notification of the application in the Federal Register and provide 30 days for public comment on the application prior to approval.

(f) **ADDITIONAL QUESTIONS TO ENSURE SAFETY AND COMPLIANCE WITH DOT PROCESSES.**—

(1) **ADDITIONAL QUESTIONS.**—The Secretary shall require, as part of an application for approval pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), that the applicant answer the following questions:

(A) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, has ever been subject to a civil monetary penalty under title 49, United States Code, relating to any actions carried out as an approved FMOC or during the application for approval under that section.

(B) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, has been delinquent in the payment of any civil monetary penalties or other fines or fees under title 49, United States Code.

(C) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is subject to the Do Not Pay Initiative established under section 3354 of title 31, United States Code, as of the date of the application.

(D) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is listed in the Military End User List of the Department of Commerce as of the date of the application.

(E) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is identified by the Department of Defense as an entity listed under section 1237 of division A of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note; Public Law 105-261) as of the date of application.

(F) Does the FMOC applying certify that—

(i) the FMOC has the requisite minimum financial responsibility as required under subsection (c); and

(ii) the financial responsibility will continue throughout entirety of the requested approval period.

(G) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, has been found guilty of a crimi-

nal penalty or assessed a civil penalty under section 1760 of division A of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (50 U.S.C. 4819).

(H) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is subject to a final antidumping or countervailing duty order from the Department of Commerce as of the date of application.

(2) **DENIAL OF APPLICATION.**—The Secretary may deny an application for approval under section 107.709 of title 49, Code of Federal Regulations (or a successor regulation), based on the responses to the questions required under paragraph (1).

(g) **FOREIGN MANUFACTURERS LISTING APPROVALS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall publish and maintain on the website of the Department of Transportation a list of approved foreign manufacturers of cylinders and the duration of those approvals.

(h) **AUTHORIZING FOREIGN INSPECTIONS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise section 107.807(d) of title 49, Code of Federal Regulations—

(1) to require that in any case in which the Associate Administrator for Hazardous Materials Safety determines there is good cause, an inspection under that section shall be carried out annually for such duration as the Associate Administrator for Hazardous Materials Safety determines appropriate;

(2) to specify that a refusal of inspection under that section shall result in a loss of the status of in good standing;

(3) to allow the Associate Administrator for Hazardous Materials Safety to request, at the discretion of the Associate Administrator for Hazardous Materials Safety—

(A) production of test and production records; and

(B) random sample testing; and

(4) allow for the recovery of all associated costs of foreign inspections to include travel, time, and other costs, as determined by the Secretary.

**SA 2038.** Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2107(c), add the following: “The Director shall require, to the extent practicable as determined by the Director, not less than 20 percent of the cost of a research and development activity described in subsection (a) to be provided by a non-Federal source, which may include in-kind contributions.”.

**SA 2039.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation,

manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 6111, insert at the end the following:

(j) **LIMITATION.**—In carrying out this section and section 6112, the Secretary shall ensure that no Federal funding is made available for any program under either section that duplicates another federally funded program.

**SA 2040.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 967, strike line 11 and all that follows through page 972, line 9, and insert the following:

(d) **APPOINTMENT.**—The President shall appoint, by and with the consent of the Senate, an Ambassador-at-large for Arctic Affairs who shall—

(1) be responsible for Arctic affairs; and

(2) report directly to the Secretary of State.

(e) **DUTIES.**—The Ambassador-at-large for Arctic Affairs shall—

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region relating to—

(A) strengthening institutions for cooperation among the Arctic nations;

(B) enhancing scientific monitoring and research on local, regional, and global environmental issues;

(C) protecting the Arctic environment and conserving its biological resources;

(D) promoting responsible natural resource management and economic development; and

(E) involving Arctic indigenous people in decisions that affect them;

(2) coordinate the diplomatic objectives with respect to the activities described in paragraph (1), and, as appropriate, represent the United States within multilateral fora that address international cooperation and foreign policy matters in the Arctic Region;

(3) help inform, in coordination with the Bureau of Economic and Business Affairs, transnational commerce and commercial maritime transit in the Arctic Region;

(4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region;

(5) make available the methods and approaches on the integration of environmental science and data to other regional security planning programs in the Department of State to better ensure that broader decision making processes may more adequately account for the changing environment;

(6) assist with the development of, and facilitate the implementation of, an Arctic Region Security Policy in accordance with subsection (g);

(7) use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations

to support the principles of the Arctic Region Security Policy implemented pursuant to subsection (g);

(8) coordinate Arctic policy with the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of European and Eurasian Affairs, and other relevant bureaus;

(9) subject to the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations of which the United States is a member; and

(B) multilateral conferences and meetings relating to Arctic affairs;

(10) serve as the principal advisor to the President and the Secretary of State regarding matters affecting Arctic affairs;

(11) make recommendations regarding the policies of the United States relating to Arctic affairs;

(12) assist the Bureau of European and Eurasian Affairs with the development and implementation of the Arctic Region Security Policy pursuant to subsection (g); and

(13) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(f) FUNDING.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(g) ARCTIC REGION SECURITY POLICY.—The Bureau of European and Eurasian Affairs shall be the lead bureau for developing and implementing the United States' Arctic Region Security Policy, in coordination with the Ambassador-at-large for Arctic Affairs, the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of Political-Military Affairs, embassies, other regional bureaus, and relevant offices to advance United States national security interests, including through conflict prevention efforts, security assistance, humanitarian disaster response and prevention, and economic and other relevant assistance programs. The Arctic Region Security Policy shall assess, develop, budget for, and implement plans, policies, and actions—

(1) to bolster the diplomatic presence of the United States in Arctic nations, including through enhancements to diplomatic missions and facilities, participation in regional and bilateral dialogues related to Arctic security, and coordination of United States initiatives and assistance programs across agencies to protect the national security of the United States and its allies and partners;

(2) to enhance the resilience capacities of Arctic nations to the effects of environmental change and increased civilian and military activity by Arctic nations and other nations that may result from increased accessibility of the Arctic Region;

(3) to assess specific added risks to the Arctic Region and Arctic nations that—

(A) are vulnerable to the changing Arctic environment; and

(B) are strategically significant to the United States;

(4) to coordinate the integration of environmental change and national security risk and vulnerability assessments into the decision making process on foreign assistance awards to Greenland;

(5) to advance principles of good governance by encouraging and cooperating with Arctic nations on collaborative approaches—

(A) to responsibly manage natural resources in the Arctic Region;

(B) to share the burden of ensuring maritime safety in the Arctic Region;

(C) to prevent the escalation of security tensions by mitigating against the militarization of the Arctic Region;

(D) to develop mutually agreed upon multilateral policies among Arctic nations on the management of maritime transit routes through the Arctic Region and work cooperatively on the transit policies for access to and transit in the Arctic Region by non-Arctic nations; and

(E) to facilitate the development of Arctic Region Security Action Plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

(6) to evaluate the vulnerability, security, survivability, and resiliency of United States interests and non-defense assets in the Arctic Region.

**SA 2041.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 967, strike line 11 and all that follows through page 972, line 9, and insert the following:

(d) APPOINTMENT.—The President shall appoint, by and with the consent of the Senate, an Ambassador-at-large for Arctic Affairs who shall—

(1) be responsible for Arctic affairs; and

(2) report directly to the Secretary of State.

(e) DUTIES.—The Ambassador-at-large for Arctic Affairs shall—

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region relating to—

(A) strengthening institutions for cooperation among the Arctic nations;

(B) enhancing scientific monitoring and research on local, regional, and global environmental issues;

(C) protecting the Arctic environment and conserving its biological resources;

(D) promoting responsible natural resource management and economic development; and

(E) involving Arctic indigenous people in decisions that affect them;

(2) coordinate the diplomatic objectives with respect to the activities described in paragraph (1), and, as appropriate, represent the United States within multilateral fora that address international cooperation and foreign policy matters in the Arctic Region;

(3) help inform, in coordination with the Bureau of Economic and Business Affairs, transnational commerce and commercial maritime transit in the Arctic Region;

(4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region;

(5) make available the methods and approaches on the integration of environmental science and data to other regional security planning programs in the Department of State to better ensure that broader decision making processes may more adequately account for the changing environment;

(6) assist with the development of, and facilitate the implementation of, an Arctic Region Security Policy in accordance with subsection (g);

(7) use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations to support the principles of the Arctic Region Security Policy implemented pursuant to subsection (g);

(8) coordinate Arctic policy with the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of European and Eurasian Affairs, and other relevant bureaus;

(9) subject to the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations of which the United States is a member; and

(B) multilateral conferences and meetings relating to Arctic affairs;

(10) serve as the principal advisor to the President and the Secretary of State regarding matters affecting Arctic affairs;

(11) make recommendations regarding the policies of the United States relating to Arctic affairs;

(12) assist the Bureau of European and Eurasian Affairs with the development and implementation of the Arctic Region Security Policy pursuant to subsection (g); and

(13) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(f) FUNDING.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(g) ARCTIC REGION SECURITY POLICY.—The Bureau of European and Eurasian Affairs shall be the lead bureau for developing and implementing the United States' Arctic Region Security Policy, in coordination with the Ambassador-at-large for Arctic Affairs, the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of Political-Military Affairs, embassies, other regional bureaus, and relevant offices to advance United States national security interests, including through conflict prevention efforts, security assistance, humanitarian disaster response and prevention, and economic and other relevant assistance programs. The Arctic Region Security Policy shall assess, develop, budget for, and implement plans, policies, and actions—

(1) to bolster the diplomatic presence of the United States in Arctic nations, including through enhancements to diplomatic missions and facilities, participation in regional and bilateral dialogues related to Arctic security, and coordination of United States initiatives and assistance programs across agencies to protect the national security of the United States and its allies and partners;

(2) to enhance the resilience capacities of Arctic nations to the effects of environmental change and increased civilian and military activity by Arctic nations and other nations that may result from increased accessibility of the Arctic Region;

(3) to assess specific added risks to the Arctic Region and Arctic nations that—

(A) are vulnerable to the changing Arctic environment; and

(B) are strategically significant to the United States;

(4) to coordinate the integration of environmental change and national security risk

and vulnerability assessments into the decision making process on foreign assistance awards to Greenland;

(5) to advance principles of good governance by encouraging and cooperating with Arctic nations on collaborative approaches—

(A) to responsibly manage natural resources in the Arctic Region;

(B) to share the burden of ensuring maritime safety in the Arctic Region;

(C) to prevent the escalation of security tensions by mitigating against the militarization of the Arctic Region;

(D) to develop mutually agreed upon multilateral policies among Arctic nations on the management of maritime transit routes through the Arctic Region and work cooperatively on the transit policies for access to and transit in the Arctic Region by non-Arctic nations; and

(E) to facilitate the development of Arctic Region Security Action Plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

(6) to evaluate the vulnerability, security, survivability, and resiliency of United States interests and non-defense assets in the Arctic Region.

**SA 2042.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 966, beginning on line 13, strike “and” and all that follows through line 15 and insert the following:

(F) examining the possibility of reconvening the Arctic Chiefs of Defense Forum;

(G) establishing a series of deep-water ports in the United States Arctic and North Pacific in order to respond to and monitor activities such as illegal fishing, increased shipping traffic, support search and rescue, United States commerce, and scientific research; and

(H) reinstating the Arctic Executive Steering Committee (AESC) as a permanent office in the Executive Office of the President and naming a chair of the Committee within 30 days of the date of the enactment of this Act.

**SA 2043.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 966, beginning on line 13, strike “and” and all that follows through line 15 and insert the following:

(F) examining the possibility of reconvening the Arctic Chiefs of Defense Forum;

(G) establishing a series of deep-water ports in the United States Arctic and North

Pacific in order to respond to and monitor activities such as illegal fishing, increased shipping traffic, support search and rescue, United States commerce, and scientific research; and

(H) reinstating the Arctic Executive Steering Committee (AESC) as a permanent office in the Executive Office of the President and naming a chair of the Committee within 30 days of the date of the enactment of this Act.

**SA 2044.** Mr. LEE (for himself, Mr. PAUL, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ REQUIREMENT FOR AN AUTHORIZATION FOR THE USE OF MILITARY FORCE.**

Notwithstanding the War Powers Resolution (Public Law 93-148; 50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note), any other provision of law, and any obligations under the Japanese Treaty, the Philippines Treaty, the U.S. Australia New Zealand Agreement, the Republic of Korea Treaty, or the Southeast Asia Treaty, the President may not introduce members of the Armed Forces into hostilities in or involving the People’s Republic of China unless—

(1) such action is necessary, for a period of no longer than 30 days, to repel a sudden attack, or the concrete, specific, and immediate threat of such a sudden attack, upon the United States, its territories, or possessions, its armed forces, or other United States citizens overseas; or

(2) Congress has enacted an authorization for the use of military force.

**SA 2045.** Mr. COONS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ U.S. DEVELOPMENT CORPORATION.**

(a) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) support the growth of sectors most critical to the economic security and competitiveness of the United States;

(2) help vital technologies make the transition from universities and labs to commercial success, including—

(A) those technologies that are civilian in nature, including microelectronics, nanotechnology biotechnology, advanced manufacturing;

(B) those technologies with military implications, including hypersonic flight, quantum computing, and artificial intelligence; and

(C) other technologies that could enhance the soft power of the United States and be exported to allies of the United States;

(3) restore the entrepreneurial dynamism of the United States economy, by supporting the growth of small businesses—

(A) of any variety that support, or are capable of supporting, the growth of technology-focused enterprises described above as contractors or as customers;

(B) with innovative potential, whose success has the potential to increase the productivity and economic development of the United States; and

(C) in regions of the country or owned by individuals of demographic groups with historically low access to capital; and

(4) fill gaps in private sector financing and correct for underinvestment in key areas with a longer-time horizon by—

(A) making direct loans and equity investments;

(B) drawing financing from multiple sources, including the banking system, institutional investors, and others; and

(C) scaling up promising investment and lending methods, including revenue-based lending, equity-loan hybrid lending, tech-based lending, lending by community development financial institutions, and lending by local investment funds.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after enactment, the Secretary of Treasury, in consultation with the Secretary of Commerce, shall submit to Congress a report advising on the design of a United States Government-owned corporation, known as the U.S. Development Corporation, charged with supporting the policies described in subsection (a).

(2) CONTENTS.—The report required under paragraph (1) shall include an assessment of—

(A) potential financing authorities of the U.S. Development Corporation, including direct loans, guarantees, equity investments, and appropriate terms and conditions for each;

(B) ways in which the U.S. Development Corporation could utilize expertise across the United States Government and the private sector to evaluate global technological progress and market trends to inform the identification of priority technologies, with both near- and long-term time horizons; and

(C) the necessary initial and ongoing investment of the Federal Government to achieve the policies described in subsection (a).

**SA 2046.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

**SEC. 51. NO INITIAL PUBLIC OFFERINGS FOR UNACCOUNTABLE ACTORS.**

(a) **SHORT TITLE.**—This section may be cited as the “No IPOs for Unaccountable Actors Act”.

(b) **DEFINITIONS.**—In this section—

(1) the term “Board” means the Public Company Accounting Oversight Board;

(2) the term “covered entity” means—

(A) an entity that is headquartered in, or otherwise controlled by an entity that is headquartered in, a foreign jurisdiction in which the Board is prevented from conducting a complete inspection or investigation of a registered public accounting firm under section 104 or 105 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214, 7215), respectively, because of a position taken by an authority in that foreign jurisdiction, as determined by the Board; or

(B) an entity that—

(i) is headquartered in, or otherwise controlled by an entity that is headquartered in, a foreign jurisdiction; and

(ii) retains a registered public accounting firm described in section 104(i)(2)(A) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214(i)(2)(A)); and

(3) the term “security” has the meaning given the term in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(c) **PROHIBITIONS REGARDING COVERED ENTITIES.**—

(1) **REGISTRATION.**—Beginning on the date that is 1 year after the date of enactment of this Act, a covered entity may not register a security of the covered entity under section 12(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(b)).

(2) **LISTING ON EXCHANGES.**—

(A) **IN GENERAL.**—Section 6(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78f(b)) is amended by adding at the end the following:

“(11) The rules of the exchange prohibit the initial listing of any security of a covered entity, as that term is defined in subsection (b) of the No IPOs for Unaccountable Actors Act.

“(12) The rules of the exchange provide that, if a security of an issuer is listed on the exchange and, as a result of a business combination, that issuer becomes a covered entity (as that term is defined in subsection (b) of the No IPOs for Unaccountable Actors Act), the exchange shall prohibit the continued listing of any security of the issuer.”.

(B) **EFFECTIVE DATE.**—The amendments made by subparagraph (A) shall take effect on the date that is 1 year after the date of enactment of this Act.

**SA 2047.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, strike lines 8 and 9 and insert the following:

(E) Natural and anthropogenic disaster prevention or mitigation and the resilience of critical infrastructure to EMPs and GMDs, as such terms are defined under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

**SA 2048.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

**SEC. 2528. ASSESSMENT OF EXISTING LARGE POWER TRANSFORMERS.**

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this division, the Secretary of Energy shall prepare and submit to Congress a report containing the results of the assessment described in subsection (b).

(b) **ASSESSMENT.**—The Secretary of Energy shall conduct an assessment of existing large power transformers in the United States. The assessment shall include the following:

(1) An analysis on the country of origin of existing large power transformers currently installed in the bulk power system.

(2) An assessment of the supply chain vulnerabilities of large power transformers.

(3) An assessment of the vulnerabilities of large power transformers to cyber or physical attacks.

**SA 2049.** Mr. VAN HOLLEN (for himself, Mr. TILLIS, Mr. WARNOCK, Mr. CARDIN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . HIGH RESEARCH ACTIVITY STATUS HBCUS PILOT PROGRAM.**

(a) **FINDINGS.**—Congress finds the following:

(1) Historically Black Colleges and Universities hold a unique position in our efforts to diversify the science, technology, engineering, and mathematics academic and workforce communities.

(2) Even though our Nation’s Historically Black Colleges and Universities make up just 3 percent of the colleges and universities in the United States, they graduate 25 percent of African-American students with bachelor’s degrees in science, technology, engineering, and mathematics fields.

(3) Historically Black Colleges and Universities are the institution of origin among almost 30 percent of Black graduates of science and engineering doctorate programs.

(4) Historically Black Colleges and Universities are leaders of our Nation’s research and development enterprise, and they are paving the way across sectors, having received over 100 utility patents in 40 years.

(5) A team of computer scientists at Morgan State University are conducting re-

search to automate detection of concepts in biomedical images to reduce the burdens of annotation and interpretation of medical images while providing a decision support system for medical practitioners.

(6) Researchers at Howard University conducted a study across 6 decades to determine the underlying causes of the recent rapid increase in the incidence and diagnosis of hepatocellular carcinoma and liver metastases in Washington, DC, which is disproportionately impacting the Black population.

(7) As the Nation’s largest producer of African American engineers, North Carolina A&T University and its researchers are leaders in autonomous vehicle research, creating significant innovations for autonomous vehicles that work in water, on land, and in flight and uncovering new military, supply chain, and personal mobility implications.

(8) In 2019, Historically Black Colleges and Universities received \$371,000,000, or about 0.8 percent of the \$44,500,000,000 in Federal funding to institutions of higher education for research and development.

(9) This number is a marked decrease from fiscal year 2018, when Historically Black Colleges and Universities received \$400,000,000 (0.9 percent) in Federal research and development funding.

(10) While there are 11 high research activity status Historically Black Colleges and Universities—Clark Atlanta University, Delaware State University, Florida A&M University, Hampton University, Howard University, Jackson State University, Morgan State University, North Carolina A&T University, Tennessee State University, Texas Southern University, and University of Maryland Eastern Shore—there are no very high research activity status Historically Black Colleges and Universities.

(11) Meaningfully investing in the research capacity of Historically Black Colleges and Universities is an investment in our Nation’s future and will help meet the accelerating science, technology, engineering, and mathematics workforce demands in the United States.

(b) **PURPOSES.**—The purposes of the program established under this section shall be—

(1) to enable high research activity status Historically Black Colleges and Universities to achieve very high research activity status; and

(2) to increase the national number of African-American undergraduate and graduate students with degrees in science, technology, engineering, and mathematics.

(c) **DEFINITIONS.**—In this section:

(1) **DIRECTOR.**—The term “Director” means the Director of the National Science Foundation.

(2) **FEDERAL SCIENCE AGENCY.**—The term Federal science agency means any Federal agency with an annual extramural research expenditure of over \$100,000,000.

(3) **HIGH RESEARCH ACTIVITY STATUS.**—The term “high research activity status” means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(4) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term “Historically Black College or University” has the meaning given the term “part B institution” under section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) **VERY HIGH RESEARCH ACTIVITY STATUS.**—The term “very high research activity status” means such status, as classified by the Carnegie Classification of Institutions of Higher Education.

(d) **VERY HIGH RESEARCH ACTIVITY STATUS HISTORICALLY BLACK COLLEGES OR UNIVERSITIES PROGRAM.**—

(1) PROGRAM.—The Director is authorized to establish and carry out, using funds made available for research activities across all Foundation research directorates, a pilot program to grow high research activity status (R2) Historically Black Colleges or Universities to achieve very high research activity status (R1) while increasing the national number of African American undergraduate, graduate, and post-doctoral students with degrees in science, technology, engineering, and mathematics. The Director may expand the program to other Historically Black Colleges or Universities beyond those Historically Black Colleges or Universities classified as high research activity status universities if the Director determines that the program can support such an expansion.

(2) GRANTS.—In carrying out the program, the Director shall award grants for key areas of scientific research on a competitive, merit-reviewed basis to Historically Black Colleges or Universities that are classified as high research activity status institutions at the time of application for such a grant.

(3) APPLICATION.—

(A) IN GENERAL.—To be eligible to receive a grant under this section, a Historically Black College or University described in paragraph (2) shall submit an application to the Director at such time, in such manner, and containing such information and assurances as the Director may require.

(B) CONTENTS.—The application described in subparagraph (A) shall include, at a minimum, a description of—

(i) a plan for increasing the level of research activity and achieving very high research activity status classification within 10 years of the grant award, including measurable milestones such as growth in research expenditures, number of research doctoral degrees awarded, number of research-focused faculty, and other relevant factors;

(ii) how the institution of higher education will sustain the increased level of research activity beyond the duration of the award; and

(iii) how the implementation of the proposed plan will be evaluated and assessed.

(4) PROGRAM COMPONENTS.—

(A) STRATEGIC AREAS OF SCIENTIFIC RESEARCH.—Through coordination with Historically Black Colleges or Universities that are eligible to receive a grant under this section, the Director, or the Director's designee, shall establish mechanisms through which applicants can seek funding under this section.

(B) USE OF FUNDS.—An institution that receives a grant under this section shall use the grant funds to support research activities, including—

(i) faculty professional development;

(ii) stipends for graduate and undergraduate students and post-doctoral scholars;

(iii) laboratory equipment and instrumentation; and

(iv) other activities necessary to build research capacity.

(C) RESEARCH ASSESSMENT.—

(i) IN GENERAL.—An institution that submits a proposal for a grant under this section shall submit with their proposal a plan that describes the institution's plan to achieve very high research activity status, including making investments with institutional and non-Federal funds, to achieve that status within a decade of the grant award, to the extent practicable.

(ii) UPDATED PLAN.—An institution that receives a grant under this section shall submit to the Foundation an updated plan described in clause (i) not less than once every 3 years which shall be based on a self-assessment of progress in achieving very high research activity status.

(D) TRANSITION ELIGIBILITY.—The Director may consider creating pathways for new Historically Black Colleges or Universities to enter into the program under this section as participating institutions achieve very high research activity status.

(e) REPORT ON IMPROVING THE RESEARCH CAPACITY AT HIGH RESEARCH ACTIVITY HISTORICALLY BLACK COLLEGES OR UNIVERSITIES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this division, the National Science and Technology Council shall prepare and submit a report that—

(A) identifies challenges and barriers to Federal research grants for high research activity status Historically Black Colleges or Universities; and

(B) identifies recommendations for Federal science agencies to sustainably boost the research capacity of high research activity status Historically Black Colleges or Universities through grant-making authorities.

(2) REPORT SUBMISSION.—The National Science and Technology Council shall transmit the report to the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of Health and Human Services, and the heads of other such agencies as determined relevant by the National Science and Technology Council.

(3) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The National Science and Technology Council may secure directly from a Federal department or agency such information as the National Science and Technology Council consider necessary to carry out the report under this subsection.

(B) FURNISHING INFORMATION.—Upon a request from the National Science and Technology Council, the head of a Federal department or agency shall furnish such information as is requested to the National Science and Technology Council.

**SA 2050.** Mr. RISCH (for himself, Mr. MENENDEZ, Mr. RUBIO, and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 5212 and insert the following:

**SEC. 5212. LIMITATION ON REVIEW OF FOREIGN GIFTS AND CONTRACTS BY THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES TO GIFTS AND CONTRACTS FROM THE PEOPLE'S REPUBLIC OF CHINA.**

The amendments to section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) made by section 3138 of this Act shall apply only with respect to gifts to institutions of higher education from, and contracts entered into by such institutions with, foreign persons that are—

(1) individuals who are nationals of the People's Republic of China;

(2) entities organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China;

(3) governmental entities of the People's Republic of China; or

(4) the Chinese Communist Party or any of its affiliates.

**SA 2051.** Mr. BRAUN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

**SEC. 25 . GREENHOUSE GAS TECHNICAL ASSISTANCE PROVIDER AND THIRD-PARTY VERIFIER CERTIFICATION PROGRAM.**

(a) PURPOSES.—The purposes of this section are—

(1) to facilitate the participation of farmers, ranchers, and private forest landowners in voluntary environmental credit markets, including through the Program;

(2) to facilitate the provision of technical assistance through covered entities to farmers, ranchers, and private forest landowners in overcoming barriers to entry into voluntary environmental credit markets;

(3) to assist covered entities in certifying under the Program; and

(4) to establish the Advisory Council to advise the Secretary regarding the Program and other related matters.

(b) DEFINITIONS.—In this section:

(1) ADVISORY COUNCIL.—The term "Advisory Council" means the Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program Advisory Council established under subsection (g)(1).

(2) AGRICULTURE OR FORESTRY CREDIT.—The term "agriculture or forestry credit" means a credit derived from the prevention, reduction, or mitigation of greenhouse gas emissions or carbon sequestration on agricultural land or private forest land that may be bought or sold on a voluntary environmental credit market.

(3) BEGINNING FARMER OR RANCHER.—The term "beginning farmer or rancher" has the meaning given the term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

(4) COVERED ENTITY.—The term "covered entity" means a person or State that either—

(A) is a provider of technical assistance to farmers, ranchers, or private forest landowners in carrying out sustainable land use management practices that—

(i) prevent, reduce, or mitigate greenhouse gas emissions; or

(ii) sequester carbon; or

(B) is a third-party verifier entity that conducts the verification of the processes described in protocols for voluntary environmental credit markets.

(5) GREENHOUSE GAS.—The term "greenhouse gas" means—

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide; and

(D) any other gas that the Secretary, in consultation with the Advisory Council, determines has been identified to have heat trapping qualities.

(6) PROGRAM.—The term “Program” means the Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program established under subsection (c).

(7) PROTOCOL.—The term “protocol” means a systematic approach that follows a science-based methodology that is transparent and thorough to establish requirements—

(A) for the development of projects to prevent, reduce, or mitigate greenhouse gas emissions or sequester carbon that include 1 or more baseline scenarios; and

(B) to quantify, monitor, report, and verify the prevention, reduction, or mitigation of greenhouse gas emissions or carbon sequestration by projects described in subparagraph (A).

(8) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(9) SOCIALLY DISADVANTAGED FARMER OR RANCHER; SOCIALLY DISADVANTAGED GROUP.—The terms “socially disadvantaged farmer or rancher” and “socially disadvantaged group” have the meaning given those terms in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

(10) TECHNICAL ASSISTANCE.—The term “technical assistance” means technical expertise, information, and tools necessary to assist a farmer, rancher, or private forest landowner who is engaged in or wants to engage in a project to prevent, reduce, or mitigate greenhouse gas emissions or sequester carbon to meet a protocol.

(11) VOLUNTARY ENVIRONMENTAL CREDIT MARKET.—The term “voluntary environmental credit market” means a voluntary market through which agriculture or forestry credits may be bought or sold.

(C) ESTABLISHMENT.—

(1) IN GENERAL.—On the date that is 270 days after the date of enactment of this Act, and after making a positive determination under paragraph (2), the Secretary shall establish a voluntary program, to be known as the “Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program”, to certify covered entities that the Secretary determines meet the requirements described in subsection (d).

(2) DETERMINATION.—The Secretary shall establish the Program only if, after considering relevant information, including the information collected or reviewed relating to the assessment conducted under subsection (h)(1)(A), the Secretary determines that the Program will further each of the purposes described in paragraphs (1) and (2) of subsection (a).

(3) REPORT.—If the Secretary determines under paragraph (2) that the Program would not further the purposes described in paragraph (1) or (2) of subsection (a) and does not establish the Program, the Secretary shall publish a report describing the reasons the Program would not further those purposes.

(d) CERTIFICATION QUALIFICATIONS.—

(1) IN GENERAL.—

(A) PROTOCOLS AND QUALIFICATIONS.—After providing public notice and at least a 60-day period for public comment, the Secretary shall, during the 90-day period beginning on the date on which the Program is established, publish—

(i) a list of, and documents relating to, recognized protocols for voluntary environmental credit markets that are designed to ensure consistency, reliability, effectiveness, efficiency, and transparency, including protocol documents and details relating to—

(I) calculations;

(II) sampling methodologies;

(III) accounting principles;

(IV) systems for verification, monitoring, measurement, and reporting; and

(V) methods to account for additionality, permanence, leakage, and, where appropriate, avoidance of double counting; and

(ii) descriptions of qualifications for covered entities that—

(I) demonstrate that the covered entity can assist farmers, ranchers, and private forest landowners in accomplishing the purposes described in paragraphs (1) and (2) of subsection (a); and

(II) demonstrate proficiency with the protocols described in clause (i).

(B) REQUIREMENTS.—Covered entities certified under the Program shall maintain expertise in the protocols described in subparagraph (A)(i), adhere to the qualifications described in subparagraph (A)(ii), and adhere to any relevant conflict of interest requirements, as determined appropriate by the Secretary, for—

(i) the provision of technical assistance to farmers, ranchers, and private forest landowners for carrying out activities described in paragraph (2); or

(ii) the verification of the processes described in protocols for voluntary environmental credit markets that are used in carrying out activities described in paragraph (2).

(2) ACTIVITIES.—The activities for which covered entities may provide technical assistance or conduct verification of processes under the Program are current and future activities that prevent, reduce, or mitigate greenhouse gas emissions or sequester carbon, which may include—

(A) land or soil carbon sequestration;

(B) emissions reductions derived from fuel choice or reduced fuel use;

(C) livestock emissions reductions, including emissions reductions achieved through—

(i) feeds, feed additives, and the use of by-products as feed sources; or

(ii) manure management practices;

(D) on-farm energy generation;

(E) energy feedstock production;

(F) fertilizer or nutrient use emissions reductions;

(G) reforestation;

(H) forest management, including improving harvesting practices and thinning diseased trees;

(I) prevention of the conversion of forests, grasslands, and wetlands;

(J) restoration of wetlands or grasslands;

(K) grassland management, including prescribed grazing;

(L) current practices associated with private land conservation programs administered by the Secretary; and

(M) such other activities, or combinations of activities, that the Secretary, in consultation with the Advisory Council, determines to be appropriate.

(3) REQUIREMENTS.—In publishing the list of protocols and description of qualifications under paragraph (1)(A), the Secretary, in consultation with the Advisory Council, shall—

(A) ensure that the requirements for covered entities to certify under the Program include maintaining expertise in all relevant information relating to market-based protocols, as appropriate, with regard to—

(i) quantification;

(ii) verification;

(iii) additionality;

(iv) permanence;

(v) reporting; and

(vi) other expertise, as determined by the Secretary; and

(B) ensure that a covered entity certified under the Program is required to perform, and to demonstrate expertise, as determined by the Secretary, in accordance with best management practices for agricultural and forestry activities that prevent, reduce, or

mitigate greenhouse gas emissions or sequester carbon.

(4) PERIODIC REVIEW.—As appropriate, the Secretary shall periodically review and revise the list of protocols and description of certification qualifications published under paragraph (1)(A) to include any additional protocols or qualifications that meet the requirements described in subparagraphs (A) and (B) of paragraph (3).

(e) CERTIFICATION, WEBSITE, AND PUBLICATION OF LISTS.—

(1) CERTIFICATION.—A covered entity may self-certify under the Program by submitting to the Secretary, through a website maintained by the Secretary—

(A) a notification that the covered entity will—

(i) maintain expertise in the protocols described in clause (i) of subsection (d)(1)(A); and

(ii) adhere to the qualifications described in clause (ii) of that subsection; and

(B) appropriate documentation demonstrating the expertise described in subparagraph (A)(i) and qualifications described in subparagraph (A)(ii).

(2) WEBSITE AND SOLICITATION.—During the 180-day period beginning on the date on which the Program is established, the Secretary shall publish, through an existing website maintained by the Secretary—

(A) information describing how covered entities may self-certify under the Program in accordance with paragraph (1);

(B) information describing how covered entities may obtain, through private training programs or Department of Agriculture training programs, the requisite expertise—

(i) in the protocols described in clause (i) of subsection (d)(1)(A); and

(ii) to meet the qualifications described in clause (ii) of that subsection;

(C) the protocols and qualifications published by the Secretary under subsection (d)(1)(A); and

(D) instructions and suggestions to assist farmers, ranchers, and private forest landowners in facilitating the development of agriculture or forestry credits and accessing voluntary environmental credit markets, including—

(i) through working with covered entities certified under the Program; and

(ii) by providing information relating to programs, registries, and protocols of programs and registries that provide market-based participation opportunities for working and conservation agricultural and forestry lands.

(3) PUBLICATION.—During the 1-year period beginning on the date on which the Program is established, the Secretary, in consultation with the Advisory Council and following the review by the Secretary for completeness and accuracy of the certification notifications and documentation submitted under paragraph (1), shall use an existing website maintained by the Secretary to publish—

(A) a list of covered entities that are certified under paragraph (1) as technical assistance providers; and

(B) a list of covered entities that are certified under paragraph (1) as verifiers of the processes described in protocols for voluntary environmental credit markets.

(4) UPDATES.—Not less frequently than quarterly, the Secretary, in consultation with the Advisory Council, shall update the lists published under paragraph (3).

(5) SUBMISSION.—The Secretary shall notify Congress of the publication of the initial list under paragraph (3).

(6) REQUIREMENT.—To remain certified under the Program, a covered entity shall continue—



(A) to maintain expertise in the protocols described in subparagraph (A)(i) of subsection (d)(1); and

(B) to adhere to the qualifications described in subparagraph (A)(ii) of that subsection.

(7) AUDITING.—Not less frequently than annually, the Secretary shall conduct audits of covered entities that are certified under the Program to ensure compliance with the requirements under subsection (d)(1)(B) through an audit process that includes a representative sample of—

(A) technical assistance providers; and

(B) verifiers of the processes described in protocols for voluntary environmental credit markets.

(8) REVOCATION OF CERTIFICATION.—

(A) IN GENERAL.—The Secretary may revoke the certification of a covered entity under the Program in the event of—

(i) noncompliance with the requirements under subsection (d)(1)(B); or

(ii) a violation of subsection (f)(2)(A).

(B) NOTIFICATION.—If the Secretary revokes a certification of a covered entity under subparagraph (A), to the extent practicable, the Secretary shall—

(i) request from that covered entity contact information for all farmers, ranchers, and private forest landowners to which the covered entity provided technical assistance or the verification of the processes described in protocols for voluntary environmental credit markets; and

(ii) notify those farmers, ranchers, and private forest landowners of the revocation.

(9) FAIR TREATMENT OF FARMERS.—The Secretary shall ensure, to the maximum extent practicable, that covered entities certified under paragraph (1) act in good faith—

(A) to provide realistic estimates of costs and revenues relating to activities and verification of processes, as applicable to the covered entity, as described in subsection (d)(2); and

(B) in the case of technical assistance providers, to assist farmers, ranchers, and private forest landowners in ensuring that the farmers, ranchers, and private forest landowners receive fair distribution of revenues derived from the sale of an agriculture or forestry credit.

(10) SAVINGS CLAUSE.—Nothing in this section authorizes the Secretary to compel a farmer, rancher, or private forest landowner to participate in a transaction or project facilitated by a covered entity certified under paragraph (1).

(f) ENFORCEMENT.—

(1) PROHIBITION ON CLAIMS.—

(A) IN GENERAL.—A person that is not certified under the Program in accordance with this section shall not knowingly make a claim that the person is a “USDA-certified technical assistance provider or third-party verifier for voluntary environmental credit markets” or any substantially similar claim.

(B) PENALTY.—Any person that violates subparagraph (A) shall be—

(i) subject to a civil penalty equal to such amount as the Secretary determines to be appropriate, not to exceed \$1,000 per violation; and

(ii) ineligible to certify under the Program for the 5-year period beginning on the date of the violation.

(2) SUBMISSION OF FRAUDULENT INFORMATION.—

(A) IN GENERAL.—A person, regardless of whether the person is certified under the program, shall not submit fraudulent information as part of a notification under subsection (e)(1).

(B) PENALTY.—Any person that violates subparagraph (A) shall be—

(i) subject to a civil penalty equal to such amount as the Secretary determines to be

appropriate, not to exceed \$1,000 per violation; and

(ii) ineligible to certify under the Program for the 5-year period beginning on the date of the violation.

(g) GREENHOUSE GAS TECHNICAL ASSISTANCE PROVIDER AND THIRD-PARTY VERIFIER CERTIFICATION PROGRAM ADVISORY COUNCIL.—

(1) IN GENERAL.—During the 90-day period beginning on the date on which the Program is established, the Secretary shall establish an advisory council, to be known as the “Greenhouse Gas Technical Assistance Provider and Third-Party Verifier Certification Program Advisory Council”.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Advisory Council shall be composed of members appointed by the Secretary in accordance with this paragraph.

(B) GENERAL REPRESENTATION.—The Advisory Council shall—

(i) be broadly representative of the agriculture and private forest sectors;

(ii) include socially disadvantaged farmers and ranchers and other historically underserved farmers, ranchers, or private forest landowners; and

(iii) be composed of not less than 51 percent farmers, ranchers, or private forest landowners.

(C) MEMBERS.—Members appointed under subparagraph (A) shall include—

(i) not more than 2 representatives of the Department of Agriculture, as determined by the Secretary;

(ii) not more than 1 representative of the Environmental Protection Agency, as determined by the Administrator of the Environmental Protection Agency;

(iii) not more than 1 representative of the National Institute of Standards and Technology;

(iv) not fewer than 12 representatives of the agriculture industry, appointed in a manner that is broadly representative of the agriculture sector, including not fewer than 6 active farmers and ranchers;

(v) not fewer than 4 representatives of private forest landowners or the forestry and forest products industry appointed in a manner that is broadly representative of the private forest sector;

(vi) not more than 4 representatives of the relevant scientific research community, including not fewer than 2 representatives from land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)), of which 1 shall be a representative of a college or university eligible to receive funds under the Act of August 30, 1890 (commonly known as the “Second Morrill Act”) (26 Stat. 417, chapter 841; 7 U.S.C. 321 et seq.), including Tuskegee University;

(vii) not more than 2 experts or professionals familiar with voluntary environmental credit markets and the verification requirements in those markets;

(viii) not more than 3 members of non-governmental or civil society organizations with relevant expertise, of which not fewer than 1 shall represent the interests of socially disadvantaged groups;

(ix) not more than 3 members of private sector entities or organizations that participate in voluntary environmental credit markets through which agriculture or forestry credits are bought and sold; and

(x) any other individual whom the Secretary determines to be necessary to ensure that the Advisory Council is composed of a diverse group of representatives of industry, academia, independent researchers, and public and private entities.

(D) CHAIR.—The Secretary shall designate a member of the Advisory Council to serve as the Chair.

(E) TERMS.—

(i) IN GENERAL.—The term of a member of the Advisory Council shall be 2 years, except that, of the members first appointed—

(I) not fewer than 8 members shall serve for a term of 1 year;

(II) not fewer than 12 members shall serve for a term of 2 years; and

(III) not fewer than 12 members shall serve for a term of 3 years.

(ii) ADDITIONAL TERMS.—After the initial term of a member of the Advisory Council, including the members first appointed, the member may serve not more than 4 additional 2-year terms.

(3) MEETINGS.—

(A) FREQUENCY.—The Advisory Council shall meet not less frequently than annually, at the call of the Chair.

(B) INITIAL MEETING.—During the 90-day period beginning on the date on which the members are appointed under paragraph (2)(A), the Advisory Council shall hold an initial meeting.

(4) DUTIES.—The Advisory Council shall—

(A) periodically review and recommend any appropriate changes to—

(i) the list of protocols and description of qualifications published by the Secretary under subsection (d)(1)(A); and

(ii) the requirements described in subsection (d)(1)(B);

(B) make recommendations to the Secretary regarding the best practices that should be included in the protocols, description of qualifications, and requirements described in subparagraph (A); and

(C) advise the Secretary regarding—

(i) the current methods used by voluntary environmental credit markets to quantify and verify the prevention, reduction, and mitigation of greenhouse gas emissions or sequestration of carbon;

(ii) additional considerations for certifying covered entities under the Program;

(iii) means to reduce barriers to entry in the business of providing technical assistance or the verification of the processes described in protocols for voluntary environmental credit markets for covered entities, including by improving technical assistance provided by the Secretary;

(iv) means to reduce compliance and verification costs for farmers, ranchers, and private forest landowners in entering voluntary environmental credit markets, including through mechanisms and processes to aggregate the value of activities across land ownership;

(v) issues relating to land and asset ownership in light of evolving voluntary environmental credit markets; and

(vi) additional means to reduce barriers to entry in voluntary environmental credit markets for farmers, ranchers, and private forest landowners, particularly for historically underserved, socially disadvantaged, or limited resource farmers, ranchers, or private forest landowners.

(5) COMPENSATION.—The members of the Advisory Council shall serve without compensation.

(6) CONFLICT OF INTEREST.—The Secretary shall prohibit any member of the Advisory Council from—

(A) engaging in any determinations or activities of the Advisory Council that may result in the favoring of, or a direct and predictable effect on—

(i) the member or a family member, as determined by the Secretary;

(ii) stock owned by the member or a family member, as determined by the Secretary; or

(iii) the employer of, or a business owned in whole or in part by, the member or a family member, as determined by the Secretary; or

(B) providing advice or recommendations regarding, or otherwise participating in, matters of the Advisory Council that—

(i) constitute a conflict of interest under section 208 of title 18, United States Code; or

(ii) may call into question the integrity of the Advisory Council, the Program, or the technical assistance or verification activities described under subsection (d)(2).

(7) **FACA APPLICABILITY.**—The Advisory Council shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.), except that section 14(a)(2) of that Act shall not apply.

(h) **ASSESSMENT.**—

(1) **IN GENERAL.**—Not later than 240 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall—

(A) conduct an assessment, including by incorporating information from existing publications and reports of the Department of Agriculture and other entities with relevant expertise, regarding—

(i) the number and categories of non-Federal actors in the nonprofit and for-profit sectors involved in buying, selling, and trading agriculture or forestry credits in voluntary environmental credit markets;

(ii) the estimated overall domestic market demand for agriculture or forestry credits at the end of the preceding 4-calendar year period, and historically, in voluntary environmental credit markets;

(iii) the total number of agriculture or forestry credits (measured in metric tons of carbon dioxide equivalent) that were estimated to be in development, generated, or sold in market transactions during the preceding 4-calendar year period, and historically, in voluntary environmental credit markets;

(iv) the estimated supply and demand of metric tons of carbon dioxide equivalent of offsets in the global marketplace for the next 4 years;

(v) the barriers to entry due to compliance and verification costs described in subsection (g)(4)(C)(iv);

(vi) the state of monitoring and measurement technologies needed to quantify long-term carbon sequestration in soils and from other activities to prevent, reduce, or mitigate greenhouse gas emissions in the agriculture and forestry sectors;

(vii) means to reduce barriers to entry into voluntary environmental credit markets for small, beginning, and socially disadvantaged farmers, ranchers, and private forest landowners and the extent to which existing protocols in voluntary environmental credit markets allow for aggregation of projects among farmers, ranchers, and private forest landowners;

(viii) means to leverage existing Department of Agriculture programs and other Federal programs that could improve, lower the costs of, and enhance the deployment of monitoring and measurement technologies described in clause (vi);

(ix) the potential impact of Department of Agriculture activities on supply and demand of agriculture or forestry credits;

(x) the potential role of the Department of Agriculture in encouraging innovation in voluntary environmental credit markets;

(xi) the extent to which the existing regimes for generating and selling agriculture or forestry credits, as the regimes exist at the end of the preceding 4-calendar year period, and historically, and existing voluntary environmental credit markets, may be impeded or constricted, or achieve greater scale

and reach, if the Department of Agriculture were involved, including by considering the role of the Department of Agriculture in reducing the barriers to entry identified under clause (v), including by educating stakeholders about voluntary environmental credit markets;

(xii) the extent to which existing protocols in voluntary environmental credit markets, including verification, additionality, permanence, and reporting, adequately take into consideration and account for factors encountered by the agriculture and private forest sectors in preventing, reducing, or mitigating greenhouse gases or sequestering carbon through agriculture and forestry practices, considering variances across regions, topography, soil types, crop or species varieties, and business models;

(xiii) the extent to which existing protocols in voluntary environmental credit markets consider options to ensure the continued valuation, through discounting or other means, of agriculture and forestry credits in the case of the practices underlying those credits being disrupted due to unavoidable events, including production challenges and natural disasters; and

(xiv) opportunities for other voluntary markets outside of voluntary environmental credit markets to foster the trading, buying, or selling of credits that are derived from activities that provide other ecosystem service benefits, including activities that improve water quality, water quantity, wildlife habitat enhancement, and other ecosystem services, as the Secretary determines appropriate;

(B) publish the assessment; and

(C) submit the assessment to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives.

(2) **QUADRIENNIAL ASSESSMENT.**—The Secretary, in consultation with the Administrator of the Environmental Protection Agency and the Advisory Council, shall conduct the assessment described in paragraph (1)(A) and publish and submit the assessment in accordance with subparagraphs (B) and (C) of paragraph (1) every 4 years after the publication and submission of the first assessment under subparagraphs (B) and (C) of paragraph (1).

(i) **REPORT.**—Not later than 2 years after the date on which the Program is established, and every 2 years thereafter, the Secretary shall publish and submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report describing, for the period covered by the report—

(1) the number of covered entities that—

(A) were registered under the Program;

(B) were new registrants under the Program, if applicable; and

(C) did not renew their registration under the Program, if applicable;

(2) each covered entity the certification of which was revoked by the Secretary under subsection (e)(8);

(3) a review of the outcomes of the Program, including—

(A) the ability of farmers, ranchers, and private forest landowners, including small, beginning, and socially disadvantaged farmers, ranchers, and private forest landowners, to develop agriculture or forestry credits through covered entities certified under the Program;

(B) methods to improve the ability of farmers, ranchers, and private forest landowners to overcome barriers to entry to voluntary environmental credit markets; and

(C) methods to further facilitate participation of farmers, ranchers, and private forest

landowners in voluntary environmental credit markets; and

(4) any recommendations for improvements to the Program.

(j) **CONFIDENTIALITY.**—

(1) **PROHIBITION.**—

(A) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary, any other officer or employee of the Department of Agriculture or any agency of the Department of Agriculture, or any other person may not disclose to the public the information held by the Secretary described in subparagraph (B).

(B) **INFORMATION.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the information prohibited from disclosure under subparagraph (A) is—

(I) information collected by the Secretary or published by the Secretary under subsection (h) or (i);

(II) personally identifiable information, including in a contract or service agreement, of a farmer, rancher, or private forest landowner, obtained by the Secretary under paragraph (7) or (8)(B)(i) of subsection (e); and

(III) confidential business information in a contract or service agreement of a farmer, rancher, or private forest landowner obtained by the Secretary under paragraph (7) or (8)(B)(i) of subsection (e).

(ii) **AGGREGATED RELEASE.**—Information described in clause (i) may be released to the public if the information has been transformed into a statistical or aggregate form that does not allow the identification of the person who supplied or is the subject of the particular information.

(2) **EXCEPTION.**—Paragraph (1) shall not prohibit the disclosure—

(A) of the name of any covered entity published and submitted by the Secretary under subsection (i)(2); or

(B) by an officer or employee of the Federal Government of information described in paragraph (1)(B) as otherwise directed by the Secretary or the Attorney General for enforcement purposes.

(k) **FUNDING.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the amount made available under paragraph (2), there is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2022 through 2026.

(2) **DIRECT FUNDING.**—

(A) **RESCISSION.**—There is rescinded \$4,100,000 of the unobligated balance of amounts made available by section 1003 of the American Rescue Plan Act of 2021 (Public Law 117–2).

(B) **DIRECT FUNDING.**—If sufficient unobligated amounts made available by section 1003 of the American Rescue Plan Act of 2021 (Public Law 117–2) are available on the date of enactment of this Act to execute the entire rescission described in subparagraph (A), then on the day after the execution of the entire rescission, there is appropriated to the Secretary, out of amounts in the Treasury not otherwise appropriated, \$4,100,000 to carry out this section.

**SA 2052.** Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

**SEC. \_\_\_\_\_ . AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.**

There are authorized to be appropriated for the Defense Advanced Research Projects Agency amounts as follows:

- (1) \$600,000,000 for fiscal year 2022.
- (2) \$1,200,000,000 for each of fiscal years 2023 through 2026.

**SA 2053.** Mr. CRUZ (for himself, Mr. JOHNSON, Mr. BARRASSO, Mr. RUBIO, Mr. COTTON, and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II of division C, add the following:

**SEC. 3219L. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.**

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall—

(1) impose sanctions under subsection (b) with respect to—

(A) Nord Stream 2 AG or a successor entity;

(B) Matthias Warnig; and

(C) any other corporate officer of or principal shareholder with a controlling interest in Nord Stream 2 AG or a successor entity; and

(2) impose sanctions under subsection (c) with respect to—

(A) Nord Stream 2 AG or a successor entity; and

(B) Matthias Warnig.

(b) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE OF IDENTIFIED PERSONS AND CORPORATE OFFICERS.—

(1) IN GENERAL.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

- (i) inadmissible to the United States;
- (ii) ineligible to receive a visa or other documentation to enter the United States; and
- (iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subsection (a)(1) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) BLOCKING OF PROPERTY OF IDENTIFIED PERSONS.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a

person described in subsection (a)(2) 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.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President 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 this section or any regulation, license, or order issued to carry out this section 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.

(e) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under this section shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with 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, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section, the authorities and requirements to impose sanctions authorized under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

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

(f) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) 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 any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person within the United States.

**SA 2054.** Mr. PORTMAN (for himself, Mr. HEINRICH, and Mr. LUJÁN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, inno-

vation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 2115, insert the following:

**SEC. 2116. SAFETY AND ETHICS AI RESEARCH INSTITUTES.**

Within the National Artificial Intelligence Research Institutes authorized in section 5201 of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), the Director of the National Science Foundation shall establish a specific theme that addresses the areas of artificial intelligence safety and artificial intelligence ethics in order to promote development of trustworthy artificial intelligence and to mitigate the creation and use of artificial intelligence systems that behave in ways that cause harm.

**SA 2055.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

**SEC. 2528. GAO STUDY ON OVERSIGHT OF FEDERAL SCIENCE AND TECHNOLOGY GRANT MAKING AND INVESTMENTS.**

(a) FINDINGS.—Congress finds that—

(1) in instances such as the Troubled Asset Relief Program, the American Recovery and Reinvestment Act of 2009, Iraq, and Afghanistan, Congress has created special inspectors general and other oversight entities focused on particular program areas who have performed in outstanding ways;

(2) the oversight entities described in paragraph (1) have helped to strengthen oversight in cross-agency activities and where component inspectors general may have otherwise faced significant challenges;

(3) because of the cross-agency nature of Federal science and technology activities, Congress created the Office of Science and Technology Policy to coordinate and harmonize among science functions at agencies;

(4) the United States innovation ecosystem, which uses multiple science agencies to invest in research and development, can make it more difficult to identify and remove scientists who violate research integrity principles;

(5) the single agency jurisdiction of an agency inspector general can be a disadvantage with respect to their oversight roles, and opportunities to strengthen the system may exist;

(6) single agency jurisdiction of inspectors general may also make it difficult to harmonize principles and standards for oversight of waste, fraud, and abuse among agencies; and

(7) certain issues of fraud, waste, and abuse in Federal science and technology activities span multiple agencies and are more apparent through cross-agency oversight.

(b) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report that—

(1) evaluates the frequency of cases of waste, fraud, or abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees;

(2) evaluates the effectiveness of existing mechanisms to detect waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees; and

(3) evaluates options for strengthening detection of waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees, including by examining the benefits and drawbacks of—

(A) providing additional support to agency inspectors general with regard to coordinated oversight of Federal and technology grant making investments; and

(B) alternative mechanisms for strengthening prevention and detection of waste, fraud, and abuse across Federal science agencies perpetrated across multiple Federal science agencies by an awardee or group of awardees, such as the establishment of a special inspector general or other mechanisms as the Comptroller General sees fit.

**SA 2056.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 478, strike line 17, and all that follows through page 485, line 18, and insert the following:

**SEC. 2527. BASIC RESEARCH.**

(a) **NONDISCLOSURE OF MEMBERS OF GRANT REVIEW PANEL.**—Notwithstanding any other provision of law, each agency that awards a Federal research grant shall not disclose, either publicly or privately, to an applicant for such grant the identity of any member of the grant review panel for such applicant.

(b) **DOWNSTREAM REPORTING; IMPARTIALITY.**—

(1) **DOWNSTREAM REPORTING.**—Any person or institution awarded a grant from a Federal research agency shall—

(A) notify and seek authorization from the relevant agency for any funds derived from the grant made available through a subgrant or subsequent grant (including to an employee or subdivision of the grant recipient's organization); and

(B) ensure that each subgrant or subsequent grant award (including to an employee or subdivision of the grant recipient's organization) funded with funds derived from the Federal grant is within the scope of the Federal grant award.

(2) **IMPARTIALITY IN FUNDING SCIENTIFIC RESEARCH.**—Notwithstanding any other provision of law, each Federal agency, in awarding grants for scientific research, shall be impartial and shall not seek to advance any political position or fund a grant to reach a predetermined conclusion.

**SEC. 2528. GAO STUDY ON OVERSIGHT OF FEDERAL SCIENCE AND TECHNOLOGY GRANT MAKING AND INVESTMENTS.**

(a) **FINDINGS.**—Congress finds that—

(1) in instances such as the Troubled Asset Relief Program, the American Recovery and Reinvestment Act of 2009, Iraq, and Afghani-

stan, Congress has created special inspectors general and other oversight entities focused on particular program areas who have performed in outstanding ways;

(2) the oversight entities described in paragraph (1) have helped to strengthen oversight in cross-agency activities and where component inspectors general may have otherwise faced significant challenges;

(3) because of the cross-agency nature of Federal science and technology activities, Congress created the Office of Science and Technology Policy to coordinate and harmonize among science functions at agencies;

(4) the United States innovation ecosystem, which uses multiple science agencies to invest in research and development, can make it more difficult to identify and remove scientists who violate research integrity principles;

(5) the single agency jurisdiction of an agency inspector general can be a disadvantage with respect to their oversight roles, and opportunities to strengthen the system may exist;

(6) single agency jurisdiction of inspectors general may also make it difficult to harmonize principles and standards for oversight of waste, fraud, and abuse among agencies; and

(7) certain issues of fraud, waste, and abuse in Federal science and technology activities span multiple agencies and are more apparent through cross-agency oversight.

(b) **STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report that—

(1) evaluates the frequency of cases of waste, fraud, or abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees;

(2) evaluates the effectiveness of existing mechanisms to detect waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees; and

(3) evaluates options for strengthening detection of waste, fraud, and abuse perpetrated across multiple Federal science agencies by an awardee or group of awardees, including by examining the benefits and drawbacks of—

(A) providing additional support to agency inspectors general with regard to coordinated oversight of Federal and technology grant making investments; and

(B) alternative mechanisms for strengthening prevention and detection of waste, fraud, and abuse across Federal science agencies perpetrated across multiple Federal science agencies by an awardee or group of awardees, such as the establishment of a special inspector general or other mechanisms as the Comptroller General sees fit.

**SA 2057.** Mr. BARRASSO (for himself, Ms. MURKOWSKI, Ms. LUMMIS, Mr. LANKFORD, Mr. CRAMER, Mrs. HYDE-SMITH, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 522. GLOBAL COOPERATIVE FRAMEWORK TO END HUMAN RIGHTS ABUSES IN SOURCING CRITICAL MINERALS.**

(a) **IN GENERAL.**—The Secretary of State shall seek to convene a meeting of foreign leaders to establish a multilateral framework to end human rights abuses, including the exploitation of forced labor and child labor, related to the mining and sourcing of critical minerals.

(b) **CERTIFICATION SCHEME.**—The Secretary shall seek to ensure that the framework under subsection (a) includes a certification scheme, comprised of—

(1) minimum requirements for national legislation, institutions, and import and export controls related to the sourcing of critical minerals;

(2) measures to enforce transparency in the exchange of production, transportation, and end-use manufacturing data related to critical minerals, including through the use of blockchain technology, if feasible;

(3) prohibitions on the purchase or trade in critical minerals unless parties to the purchase or trade are certified under and in compliance with the framework; and

(4) measures to certify shipments as in compliance with the framework, including requiring the provision of supporting documentation.

(c) **IMPLEMENTATION REPORT.**—The Secretary shall lead the development of an annual global report on the implementation of the framework under subsection (a), including progress and recommendations to fully end human rights abuses, including the exploitation of forced labor and child labor, related to the extraction of critical minerals around the world.

(d) **REVIEW OF CONFLICT MINERALS LIST.**—The Secretary shall review the list of conflict minerals under section 1502(e)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203; 124 Stat. 228) to determine whether certain critical minerals, such as cobalt, should be included on the list.

(e) **CRITICAL MINERAL DEFINED.**—In this section, the term “critical mineral” has the meaning given the term in section 7002(a) of the Energy Act of 2020 (division Z of Public Law 116-260; 30 U.S.C. 1606(a)).

**SA 2058.** Mr. CASSIDY (for himself, Mr. DURBIN, Ms. HIRONO, Mr. COONS, Mr. WARNOCK, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

**SEC. \_\_\_\_ . COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.**

(a) **COLLECTION AND VERIFICATION OF INFORMATION.**—

(1) **COLLECTION.**—

(A) **IN GENERAL.**—An online marketplace shall require any high-volume third party seller on such online marketplace's platform to provide, not later than 7 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

## (i) BANK ACCOUNT.—

(I) IN GENERAL.—A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) PROVISION OF INFORMATION.—The bank account or payee information required under subclause (I) may be provided by the seller in the following ways:

(aa) To the online marketplace.

(bb) To a payment processor or other third party contracted by the online marketplace to maintain such information, provided that the online marketplace ensures that it can obtain such information on demand from such payment processor or other third party.

(ii) CONTACT INFORMATION.—Contact information for such seller as follows:

(I) With respect to a high-volume third party seller that is an individual, the individual's name.

(II) With respect to a high-volume third party seller that is not an individual, one of the following forms of contact information:

(aa) A copy of a valid government-issued identification for an individual acting on behalf of such seller that includes the individual's name.

(bb) A copy of a valid government-issued record or tax document that includes the business name and physical address of such seller.

(iii) TAX ID.—A business tax identification number, or, if such seller does not have a business tax identification number, a taxpayer identification number.

(iv) WORKING EMAIL AND PHONE NUMBER.—A current working email address and phone number for such seller.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—

(i) IN GENERAL.—An online marketplace shall—

(I) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(II) require any high-volume third party seller on such online marketplace's platform to, not later than 7 days after receiving the notice under subclause (I), electronically certify that—

(aa) there have been no changes to such seller's information; or

(bb) such seller has provided any changes to such information to the online marketplace.

(ii) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 7 days after the issuance of such notice, suspend any future sales activity of such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 7 days after such collection; and

(ii) verify any change to such information not later than 7 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(B) PRESUMPTION OF VERIFICATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to be verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller on such online marketplace's platform to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose the information described in subparagraph (B) to consumers in a clear and conspicuous manner in the—

(I) order confirmation message or other document or communication made to a consumer after a purchase is finalized; and

(II) consumer's account transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) Subject to paragraph (2), the identity of the high-volume third party seller, including—

(I) the full name of the seller;

(II) the physical address of the seller; and

(III) contact information for the seller, including—

(aa) a current working phone number; and

(bb) a current working email address or other means of electronic messaging (which may be provided to such seller by the online marketplace).

(ii) Whether the high-volume third party seller used a different seller to supply the consumer product to the consumer upon purchase, and, upon the request of an authenticated purchaser, the information described in clause (i) relating to any such seller that supplied the consumer product to the purchaser, if such seller is different than the high-volume third party seller listed on the product listing prior to purchase.

(2) EXCEPTION.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the request of a high-volume third party seller, an online marketplace may provide for partial disclosure of the identity information required under paragraph (1)(B)(i) in the following situations:

(i) If such seller certifies to the online marketplace that the seller does not have a business address and only has a residential street address, or has a combined business and residential address, the online marketplace may—

(I) disclose only the country and, if applicable, the State in which such seller resides; and

(II) inform consumers that there is no business address available for the seller and that consumer inquiries should be submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace.

(ii) If such seller certifies to the online marketplace that the seller is a business that has a physical address for product returns, the online marketplace may disclose the seller's physical address for product returns.

(iii) If such seller certifies to the online marketplace that the seller does not have a phone number other than a personal phone number, the online marketplace shall inform consumers that there is no phone number available for the seller and that consumer inquiries should be submitted to the seller's email address or other means of electronic messaging provided to such seller by the online marketplace.

(B) LIMITATION ON EXCEPTION.—If an online marketplace becomes aware that a high-volume third party seller has made a false representation to the online marketplace in order to justify the provision of a partial dis-

closure under subparagraph (A) or that a high-volume third party seller who has requested and received a provision for a partial disclosure under subparagraph (A) has not provided responsive answers within a reasonable time frame to consumer inquiries submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to respond not later than 7 days after the issuance of such notice, suspend any future sales activity of such seller unless such seller consents to the disclosure of the identity information required under paragraph (1)(B)(i).

(3) REPORTING MECHANISM.—An online marketplace shall disclose to consumers in a clear and conspicuous manner on the product listing of any high-volume third party seller a reporting mechanism that allows for electronic and telephonic reporting of suspicious marketplace activity to the online marketplace.

(4) COMPLIANCE.—If a high-volume third party seller does not comply with the requirements to provide and disclose information under this subsection, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide or disclose such information not later than 7 days after the issuance of such notice, suspend any future sales activity of such seller until the seller complies with such requirements.

(c) ENFORCEMENT.—

(1) UNFAIR AND DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or (b) by an online marketplace shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce subsections (a) and (b) in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) or (b) shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) REGULATIONS.—The Commission may promulgate regulations under section 553 of title 5, United States Code, with respect to the collection, verification, or disclosure of information under this section, provided that such regulations are limited to what is necessary to collect, verify, and disclose such information.

(4) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(d) SEVERABILITY.—If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of this section and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

(e) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Federal Trade Commission.

(2) CONSUMER PRODUCT.—The term "consumer product" has the meaning given such term in section 101 of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2301 note) and section 700.1 of title 16, Code of Federal Regulations.

## (3) HIGH-VOLUME THIRD PARTY SELLER.—

(A) IN GENERAL.—The term “high-volume third party seller” means a participant on an online marketplace’s platform who is a third party seller and who, in any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales or transactions of new or unused consumer products and an aggregate total of \$7,000 or more in gross revenues.

(B) CLARIFICATION.—For purposes of calculating the number of discrete sales or transactions or the aggregate gross revenues under subparagraph (A), an online marketplace shall only be required to count sales or transactions made through the online marketplace and for which payment was processed by the online marketplace, either directly or through its payment processor.

(4) ONLINE MARKETPLACE.—The term “online marketplace” means any person or entity that operates a consumer-directed electronically based or accessed platform that—

(A) includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in the United States;

(B) is used by one or more third party sellers for such purposes; and

(C) has a contractual or similar relationship with consumers governing their use of the platform to purchase consumer products.

(5) SELLER.—The term “seller” means a person who sells, offers to sell, or contracts to sell a consumer product through an online marketplace’s platform.

## (6) THIRD PARTY SELLER.—

(A) IN GENERAL.—The term “third party seller” means any seller, independent of an online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace’s platform.

(B) EXCLUSIONS.—The term “third party seller” does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace’s platform; or

(ii) a business entity that has—

(I) made available to the general public the entity’s name, business address, and working contact information;

(II) an ongoing contractual relationship with the online marketplace to provide the online marketplace with the manufacture, distribution, wholesaling, or fulfillment of shipments of consumer products; and

(III) provided to the online marketplace identifying information, as described in subsection (a), that has been verified in accordance with that subsection.

(7) VERIFY.—The term “verify” means to confirm information provided to an online marketplace pursuant to this section by the use of one or more methods that enable the online marketplace to reliably determine that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller’s behalf, not misappropriated, and not falsified.

(f) RELATIONSHIP TO STATE LAWS.—No State or political subdivision of a State may establish or continue in effect any law, regulation, rule, requirement, or standard that conflicts with the requirements of this section.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

**SA 2059.** Mr. PADILLA (for himself, Mr. LUJÁN, Ms. CORTEZ MASTO, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Di-

rectorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

**TITLE IV—DEVELOPMENT OF PROGRAM TO SUPPORT PARTNERSHIPS FOR HBCU/MSI/TCU-DESIGNATED INSTITUTIONS**

**SEC. 6401. FINDINGS.**

(a) FINDINGS.—Congress finds the following:

(1) Strengthening the United States research enterprise is critical to our Nation’s leadership in science and technology.

(2) Promoting diversity, equity, and inclusion in the federally funded research pipeline is essential to ensuring the development of scientific breakthroughs that benefit every person of the United States.

(3) Partnerships between institutions of higher education with the highest levels of research activity and historically Black colleges and universities, Tribal Colleges or Universities, or other minority-serving institutions that are committed to the recruitment, retention, and advancement of historically underrepresented populations benefit the United States at large.

(4) The STEM workforce drives forward the United States economy and our global competitiveness.

(5) Federal funding for initiatives that support the development of a diverse research workforce pipeline across institutions of higher education are in the best interest of the United States research enterprise.

(6) Congress believes that Federal science agencies should provide funding to foster collaboration between institutions of higher education to promote a more diverse, equitable, and inclusive research workforce and enterprise.

**SEC. 6402. PURPOSE.**

The purpose of this title is to provide funding to Federal science agencies for distribution to eligible partnerships that commit resources to collaboration and cooperation with historically Black colleges or universities, Tribal Colleges or Universities, Hispanic-serving institutions, or other minority-serving institutions, including—

(1) programs that help enroll alumni from historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions in postgraduate programs leading to master or doctoral degrees in STEM disciplines at partner institutions of higher education with the highest levels of research activity;

(2) summer research internship support grants at partner institutions of higher education with the highest levels of research activity;

(3) research projects that include students at historically Black colleges and universities, Tribal Colleges and Universities, or other minority-serving institutions, and at institutions of higher education with the highest levels of research activity; and

(4) competitive grant awards to enhance and expand pathways to the professoriate for underrepresented students.

**SEC. 6403. DEFINITIONS.**

In this title:

(1) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term “Asian American and Native American Pacific Islander-serving institution” has the

meaning given the term in section 320(b) or 371(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b) and 1067q(c)(2)).

(2) ELIGIBLE PARTNERSHIP.—The term “eligible partnership” means a partnership that includes—

(A)(i) an institution with the highest levels of research activity; or

(ii) a National Laboratory; and

(B) not less than 1 historically Black college or university, Tribal College or University, or other minority-serving institution.

(3) FEDERAL SCIENCE AGENCY.—The term “Federal science agency” means any Federal agency with at least \$100,000,000 in basic and applied research obligations in fiscal year 2021.

(4) GRANTEE.—The term “grantee” means the legal entity to which a grant is awarded and that is accountable to the Federal Government for the use of the funds provided.

(5) INSTITUTION WITH THE HIGHEST LEVELS OF RESEARCH ACTIVITY.—The term “institution with the highest levels of research activity”, means an institution of higher education that is classified as an R1 University, or successor designation, by the Carnegie Classification of Institutions of Higher Education.

(6) HISPANIC-SERVING INSTITUTION.—The term “Hispanic-serving institution” means an institution of higher education as defined in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

(7) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term “historically Black college and university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(8) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) MINORITY-SERVING INSTITUTION.—The term “minority-serving institution” means a historically Black college or university, predominantly Black institution, Hispanic-serving institution, Asian American and Native American Pacific Islander-Serving Institution, or Tribal College or University.

(10) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(11) PREDOMINANTLY BLACK INSTITUTION.—The term “predominantly Black institution” means—

(A) a Predominantly Black Institution, as defined in section 318(b) of the Higher Education Act of 1965 (20 U.S.C. 1059e(b)); or

(B) a Predominantly Black institution, as defined in section 371(c)(9) of such Act (20 U.S.C. 1067q(c)(9)).

(12) STEM.—The term “STEM” means science, technology, engineering, and mathematics, including computer science and biological and agricultural sciences.

(13) TRIBAL COLLEGE OR UNIVERSITY.—The term “Tribal College or University” has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

**SEC. 6404. DEVELOPMENT OF PROGRAM TO SUPPORT PARTNERSHIPS FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, TRIBAL COLLEGES OR UNIVERSITIES, OR OTHER MINORITY-SERVING INSTITUTIONS.**

(a) GRANT PROGRAM AUTHORIZED.—From amounts made available under section 6406, the head of each Federal science agency shall make awards to eligible partnerships in order to support the recruitment, retention, and advancement of underrepresented students in STEM fields, including students who are the first in their families to graduate

from institutions of higher education, veterans, individuals from low-income backgrounds, individuals with disabilities, and women, through activities described in subsection (c).

(b) COLLABORATION REQUIREMENTS.—

(1) JOINT PROPOSAL.—An eligible partnership desiring a grant under a program described in subsection (a) shall submit a joint proposal representing all members of the eligible partnership to the applicable Federal science agency. The joint proposal shall include a description of the proposed activities to be carried out under the grant.

(2) COLLABORATION.—Each eligible partnership shall collaborate across institutions of higher education, including historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, in order to develop and carry out the proposed grant activities.

(c) USE OF FUNDS.—

(1) REQUIRED USES.—Each eligible partnership supported by a grant under subsection (a) shall—

(A) enhance and expand pathways for underrepresented students at historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, to enter graduate studies and academia in STEM fields;

(B) remove barriers to entry to the professoriate for such students; and

(C) provide funding to faculty at historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions to work on the research projects along with their students.

(2) DISTRIBUTION REQUIREMENT.—The head of each Federal science agency shall require each grantee to allocate not less than 50 percent of the total grant award received by the eligible partnership to the partner historically Black colleges or universities, Tribal Colleges or Universities, or other minority-serving institutions, in order to carry out the activities supported under the grant.

(d) NONDUPLICATION.—An eligible partnership desiring a grant under a program described in subsection (a) shall not submit the same proposal to multiple Federal science agencies.

**SEC. 6405. REPORTING.**

The head of each Federal science agency shall conduct or support studies, which shall include longitudinal studies, that follow the progress of undergraduate students participating in activities supported under this title and report—

(1) the number of such students, in the aggregate and disaggregated by categories of underrepresented students in STEM field, who pursue STEM graduate studies and professions as a result of such activities; and

(2) information regarding the benefits provided to such students as a result of the activities.

**SEC. 6406. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$100,000,000 for fiscal year 2022 and each succeeding fiscal year.

(b) GAO REPORT.—Beginning in fiscal year 2022, the Comptroller General of the United States, after consultation with the Secretary of Education on any relevant issue of concern, including at a minimum on the total numbers of qualifying eligible minority serving institutions within each category discussed herein annually, shall prepare and submit to Congress a suggested distribution of funding under this title among all qualifying Federal science agencies that in the first year of the program reflects equitable share as a basis for distribution and that reflects the input of the affected Federal science agencies regarding any allocation methodology to be used in subsequent years.

**SA 2060.** Mr. LEAHY (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . OWNERSHIP AND ASSIGNMENT OF PATENTS.**

(a) IN GENERAL.—Section 261 of title 35, United States Code, is amended—

(1) by striking the first undesignated paragraph and inserting the following:

“(a) IN GENERAL.—

“(1) ATTRIBUTES OF PERSONAL PROPERTY.—Subject to the provisions of this title, patents shall have the attributes of personal property.

“(2) REGISTER OF ASSIGNMENTS AND OWNERSHIP.—The Patent and Trademark Office shall maintain a publicly accessible register of interests in patents and applications for patents and shall record any document related thereto upon request, and may require a fee therefor.

“(3) REQUIREMENT TO RECORD CERTAIN ASSIGNMENTS.—

“(A) IN GENERAL.—Whenever all substantial rights in a patent are assigned to a person, including a legal or governmental entity or a parent corporation—

“(i) the patentee shall, not later than 90 days after the date of the assignment, submit a request described in paragraph (2) with respect to the assignment; and

“(ii) the Patent and Trademark Office shall, upon receiving the request submitted under clause (i), record the assignment in the register described in paragraph (2).

“(B) EFFECT OF FAILURE TO COMPLY.—During any period in which the requirements of subparagraph (A)(i) are not satisfied with respect to a patent to which this paragraph applies, no party may recover, for the infringement of that patent in any action, increased damages under section 284.

“(C) RULES.—The Director may prescribe rules to implement this paragraph, including rules for the proper recording of the assignments of patents.”;

(2) in the first undesignated paragraph following subsection (a), as so designated by paragraph (1) of this subsection, by striking “Applications” and inserting the following:

“(b) APPLICATIONS.—Applications”;

(3) in the first undesignated paragraph following subsection (b), as so designated by paragraph (2) of this subsection, by striking “A certificate” and inserting the following:

“(c) CERTIFICATE OF ACKNOWLEDGMENT.—A certificate”;

(4) in the first undesignated paragraph following subsection (c), as so designated by paragraph (3) of this subsection, by striking “An interest” and inserting the following:

“(d) EFFECT OF ASSIGNMENT.—An interest”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any assignment that occurs on or after the date of enactment of this Act.

**SA 2061.** Mr. KING (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr.

SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

**SEC. 2309. PRIORITIZATION AND PROTECTION OF INTERNATIONAL RESEARCH.**

(a) LIST OF ALLIED COUNTRIES.—The Secretary of State, in consultation with the Director of the Office of Science and Technology Policy, the National Security Council, the Secretary of Energy, the Director of the National Science Foundation and the heads of other relevant agencies, shall create a list of allied countries with which joint international research and cooperation would advance United States national interests and advance scientific knowledge in key technology focus areas.

(b) ESTABLISHMENT OF SECURITY PROCEDURES.—The Secretary of State, in consultation with the individuals and entities listed in subsection (a), shall collaborate with similar entities in the countries appearing on the list created pursuant to subsection (a) to develop, coordinate, and agree to general security policies and procedures, consistent with the policies and procedures developed pursuant to sections 2304 and 2305, for governmental, academic, and private sector research, to prevent sensitive research from being disclosed to joint adversaries.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary of State, in consultation with the individuals and entities listed in subsection (a), and allied countries appearing on the list created pursuant to subsection (a), shall submit a report to Congress that identifies the most promising international research ventures that leverage resources and advance research in key technology focus areas.

**SA 2062.** Mr. SASSE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

**SEC. 2528. GLOBAL COVID-19 RELIEF PROGRAM.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the COVID-19 pandemic is a once-in-a-generation opportunity for the United States to demonstrate global leadership;

(2) the People's Republic of China is engaged in an aggressive vaccine diplomacy game and uses COVID-19 assistance as a coercive tool to secure political and economic gains;

(3) providing other countries with COVID-19 assistance and access to vaccines should be a top priority for the Department of State

and the United States Agency for International Development for the rest of fiscal year 2021; and

(4) it is in the interests of the United States to work to preserve and protect United States private sector incentives for future vaccine development and to ensure technological innovation in order to meet the vaccine diplomacy challenges of the next pandemic.

(b) GLOBAL COVID-19 RELIEF PROGRAM.—The Secretary of State should establish a global COVID-19 relief program through which Department of State and United States Agency for International Development personnel, including contractors, can—

(1) assist host governments with—

(A) the procurement from the United States Government of COVID-19 vaccines developed in the United States;

(B) direct procurement of such vaccines from United States vaccine manufacturers; and

(C) procurement of other COVID-19-related medical advice, technical advice, and material assistance from the United States Government and United States vaccine manufacturers; and

(2) serve as liaisons for United States vaccine manufacturers to facilitate—

(A) overseas licensing agreements;

(B) direct purchase agreements; and

(C) the expansion of vaccine production capacity overseas.

(c) AMERICAN VACCINE DIPLOMACY TASK FORCE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State should establish a task force to facilitate the overseas licensing and direct purchasing agreements of vaccines developed in the United States.

(2) MEMBERSHIP.—If a task force is established pursuant to paragraph (1), the task force should be composed of—

(A) 1 or more representatives of the Department of State at the Under Secretary level, or designees;

(B) 1 or more representatives of the United States Agency for International Development at the Assistant Administrator level, or designees;

(C) 1 or more representatives of the Department of Commerce at the Under Secretary level, or designees;

(D) 1 or more representatives of private sector companies in the United States that are significantly involved in the production of COVID-19 vaccines;

(E) 1 or more representatives from civil society, including organizational leaders with expertise in the manufacturing, procurement, and distribution of COVID-19 vaccines developed in the United States; and

(F) any other representatives that the Secretary of State determines are necessary to support the work of the task force.

(3) DUTIES.—If a task force is established pursuant to paragraph (1), the task force should identify—

(A) a target set of countries for the facilitation of overseas licensing and direct purchasing agreements of COVID-19 vaccines developed in the United States;

(B) existing policy and legal hurdles to the facilitation of overseas licensing and direct purchasing agreements of such vaccines; and

(C) the necessary resources at the consulate, embassy, and bureau levels to expedite the facilitation of overseas licensing and direct purchasing agreements of such vaccines.

(4) REPORTING REQUIREMENT.—Not later than 60 days after the establishment of the task force pursuant to paragraph (1) and every 90 days thereafter until the date set forth in paragraph (5), the task force should deliver a written or verbal report to Con-

gress and to the Secretary of State that describes—

(A) the activities of the task force; and

(B) any legal, bureaucratic, or resourcing challenges preventing the expedited facilitation of overseas licensing and direct purchasing agreements of COVID-19 vaccines developed in the United States.

(5) SUNSET PROVISION.—If a task force is established pursuant to paragraph (1), the task force shall terminate on the date that is 1 year after the date of its establishment unless the Secretary of State—

(A) determines that the duration of the task force should be extended; and

(B) not later than 30 days before extending the duration of the task force, notifies Congress of the duration of, and justification for, such extension.

**SA 2063.** Mr. SASSE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

**SEC. \_\_\_\_ OFFICE OF SCIENCE AND TECHNOLOGY POLICY ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING-ENABLED GAME.**

(a) IN GENERAL.—The Director of the Office of Science and Technology and Policy, in coordination with the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Attorney General of the United States, the Secretary of Energy, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of such other agencies as the Director of the Office of Science and Technology Policy considers appropriate, shall conduct an artificial intelligence- and machine learning-enabled game of games covering each instrument of national power.

(b) MODELING AND SIMULATION.—The game conducted under subsection (a) shall advance artificial intelligence-enabled modeling and simulation in government.

(c) PLAN REQUIRED.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy shall submit to Congress a plan for the execution of the game conducted under subsection (a).

(2) FORM.—The plan required by paragraph (1) shall be submitted in classified form.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of Science and Technology Policy to carry out this section \$100,000,000 for fiscal year 2022.

**SA 2064.** Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which

was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ POST-EMPLOYMENT LIMITATIONS ON PRESIDENTIAL APPOINTEES WITH RESPECT TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA, THE CHINESE COMMUNIST PARTY, AND CHINESE MILITARY COMPANIES.**

Section 207 of title 18, United States Code, is amended by adding at the end the following:

“(m) RESTRICTIONS ON PRESIDENTIAL APPOINTEES WITH RESPECT TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA, THE CHINESE COMMUNIST PARTY, AND CHINESE MILITARY COMPANIES.—

“(1) IN GENERAL.—In addition to the other restrictions set forth in this section, any person who serves in a position pursuant to an appointment made by the President and who knowingly, at any time after the termination of his or her service in the position—

“(A) represents an entity described in paragraph (2) before any officer or employee of any department or agency of the United States with the intent to influence a decision of such officer or employee in carrying out his or her official duties; or

“(B) aids or advises an entity described in paragraph (2) with the intent to influence a decision of any officer or employee of any department or agency of the United States, in carrying out his or her official duties, shall be punished as provided in section 216 of this title.

“(2) ENTITIES.—An entity described in this paragraph is any of the following:

“(A) The Government of the People's Republic of China.

“(B) The Chinese Communist Party.

“(C) Any entity identified under section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note).

“(D) Any entity identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283).”.

**SA 2065.** Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 500, strike lines 7 through 10 and insert the following:

(A) encourage reusability and sustainability of systems developed;

(B) offer existing capabilities and assets of NASA centers to support such partnerships; and

(C) prioritize the mission, schedule, safety, and integrity of the program by building in the redundancy of a second human landing system.

**SA 2066.** Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science



Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

**SEC. 2528. PROHIBITION ON FUNDING FROM CHINA.**

Notwithstanding any other provision of this division, an institution of higher education that receives funds under this division for a project, program, or research, as a condition of receiving such funds, shall not accept funds from the People's Republic of China for such project, program, or research.

**SA 2067.** Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2214 and insert the following:

**SEC. 2214. CRITICAL MINERALS MINING AND RECYCLING RESEARCH.**

(a) CRITICAL MINERALS MINING AND RECYCLING RESEARCH AND DEVELOPMENT AT THE FOUNDATION.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Director shall issue awards, on a competitive basis, to institutions of higher education, nonprofit organizations, or National Laboratories (or consortia of such institutions or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purpose of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) USE OF FUNDS.—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technological applications;

(D) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(E) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(F) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(G) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(H) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(b) CRITICAL MINERALS INTERAGENCY SUBCOMMITTEE.—

(1) IN GENERAL.—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this subsection as the “Subcommittee”) shall coordinate Federal science and technology efforts to ensure secure and reliable supplies of critical minerals to the United States.

(2) PURPOSES.—The purposes of the Subcommittee shall be—

(A) to advise and assist the Committee on Homeland and National Security and the National Science and Technology Council on United States policies, procedures, and plans as it relates to critical minerals, including—

(i) Federal research, development, and deployment efforts to optimize methods for extractions, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals;

(ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and the reclamation of critical minerals from components such as spent batteries;

(iii) addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;

(iv) the critical minerals workforce of the United States; and

(v) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reuse of critical minerals via recycling;

(C) to ensure the transparency of information and data related to critical minerals; and

(D) to provide recommendations on coordination and collaboration among the research, development, and deployment programs and activities of Federal agencies to promote a secure and reliable supply of critical minerals necessary to maintain national security, economic well-being, and industrial production.

(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) provide recommendations on how Federal agencies may improve the topographic, geologic, and geophysical mapping of the United States and improve the discoverability, accessibility, and usability of the resulting and existing data, to the extent permitted by law and subject to appropriate limitation for purposes of privacy and security;

(B) assess the progress toward developing critical minerals recycling and reprocessing technologies;

(C) assess the end-to-end lifecycle of critical minerals, including for mining, usage, recycling, and end-use material and technology requirements;

(D) examine options for accessing and developing critical minerals through investment and trade with allies and partners of the United States and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain workforce faces, including—

(i) aging and retiring personnel and faculty;

(ii) public perceptions about the nature of mining and mineral processing; and

(iii) foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance—

(i) scientific and technical capabilities across critical mineral supply chains, including a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and substitution for critical minerals; and

(ii) cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(H) report to the appropriate committees of Congress on activities and findings under this subsection.

(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.

(c) GRANT PROGRAM FOR DEVELOPMENT OF CRITICAL MINERALS AND METALS.—

(1) ESTABLISHMENT.—The Secretary of Commerce, in consultation with the Director, the Secretary of the Interior, and the heads of other relevant Federal agencies, shall establish a grant program to finance pilot projects for the development of critical minerals and metals mining and recycling in the United States.

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed \$10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Commerce shall give priority to projects that the Secretary of Commerce determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Commerce shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce \$100,000,000 for each of fiscal years 2021 through 2024 to carry out the grant program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL; CRITICAL MINERAL OR METAL.—The terms “critical mineral” and “critical mineral or metal” include any host mineral of a critical mineral (within the

meaning of those terms in section 7002 of the Energy Act of 2020 (30 U.S.C. 1606).

(2) **END-TO-END.**—The term “end-to-end”, with respect to the integration of mining or life cycle of minerals, means the integrated approach of, or the lifecycle determined by, examining the research and developmental process from the mining of the raw minerals to its processing into useful materials, its integration into components and devices, the utilization of such devices in the end-use application to satisfy certain performance metrics, and the recycling or disposal of such devices.

(3) **RECYCLING.**—The term “recycling” means the process of collecting and processing spent materials and devices and turning them into raw materials or components that can be reused either partially or completely.

(4) **SECONDARY RECOVERY.**—The term “secondary recovery” means the recovery of critical minerals and metals from discarded end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

**SA 2068.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . . FEDERAL PERSONNEL ISSUES.**

(a) **NEW OCCUPATIONAL SERIES FOR DIGITAL CAREER FIELDS.**—Not later than 270 days after the date of enactment of this Act, the Office of Personnel Management shall, under section 5105 of title 5, United States Code, establish—

(1) not less than 1 new occupational series, and associated policies, covering positions in the fields of software development, software engineering, and knowledge management; and

(2) a new occupational series, and associated policies, covering positions in the field of artificial intelligence.

(b) **MILITARY CAREER FIELDS FOR SOFTWARE DEVELOPMENT, DATA SCIENCE, AND ARTIFICIAL INTELLIGENCE.**—Section 230 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding the following new subsection:

“(d) **MILITARY CAREER FIELDS.**—

“(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this subsection, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (in this subsection collectively referred to as the ‘Service Chiefs’) shall each establish new military career fields for software development, data science, and artificial intelligence that are open to commissioned officers, enlisted personnel, and, as appropriate, warrant officers.

“(2) **TECHNICAL CAREER PATHS.**—The Service Chiefs shall use the authorities provided in section 605 of title 10, United States Code, and subchapter VI of chapter 36 of such title to ensure that military personnel in the career fields established under paragraph (1)

who choose to specialize and focus on technical skill sets rather than pursue leadership positions are not required to move outside their specialties or into management positions to continue to promote.”.

**SA 2069.** Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 415, strike lines 13 through 18 and insert the following:

(2) by striking the period; and

(3) by adding at the end the following:

“(ii) whole cooked king crab and tanner crab and cooked king crab and tanner crab sections; and

“(iii) processed (within the meaning of section 60.119 of title 7, Code of Federal Regulations (or any successor regulations)) shrimp, unless such product is covered by the United States-Mexico-Canada Agreement.”.

**SA 2070.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . . ESTABLISHMENT OF NATIONAL RESERVE DIGITAL CORPS.**

(a) **IN GENERAL.**—Subpart I of part III of title 5, United States Code, is amended by adding at the end the following:

**“CHAPTER 103—NATIONAL RESERVE DIGITAL CORPS**

“Sec.

“10301. Establishment.

“10302. Definitions.

“10303. Organization.

“10304. Work on behalf of Executive agencies.

“10305. Digital Corps Scholarship Program.

“10306. Duration of pilot program.

**“§ 10301. Establishment**

“ For the purposes of attracting, recruiting, and training a corps of world-class digital talent to serve the national interest and enable the Federal Government to become a digitally proficient enterprise, there is established within the Office of Management and Budget a pilot program for a civilian National Reserve Digital Corps, the members of whom shall serve as special Government employees, working not fewer than 30 days per year as short-term advisors, instructors, or developers in the Federal Government.

**“§ 10302. Definitions**

“In this chapter:

“(1) **DIRECTOR.**—The term ‘Director’ means the Director of the Office of Management and Budget.

“(2) **NODE.**—The term ‘node’ means a group of persons, or a team, organized under the direction of a node leader to provide digital service to not less than 1 Executive agency pursuant to an agreement between the Director and the Executive agency.

“(3) **NODE LEADER.**—The term ‘node leader’ means a full-time employee who—

“(A) is selected under this chapter to lead not less than 1 node; and

“(B) reports to the Director or the designee of the Director.

“(4) **NODE MEMBER.**—The term ‘node member’ means a special Government employee, as that term is defined in section 202 of title 18, who is selected under this division to work not fewer than 38 days per fiscal year and report to a node leader in furtherance of the mission of a node.

**“§ 10303. Organization**

“(a) **NODES AND NODE LEADERS.**—The National Reserve Digital Corps shall be organized into nodes, each of which shall be under the supervision of a node leader.

“(b) **ADMINISTRATIVE SUPPORT.**—The National Reserve Digital Corps shall receive funding and administrative support from the Director, who shall be responsible for selecting node leaders, establishing standards, ensuring that nodes meet Executive agency client requirements, maintaining security clearances, establishing access to an agile development environment and appropriate tools, and facilitating appropriate technical exchange meetings.

“(c) **APPOINTMENT AUTHORITY.**—

“(1) **DIRECT APPOINTMENT AUTHORITY OF NODE MEMBERS.**—

“(A) **IN GENERAL.**—The Director, on the recommendation of a node leader, may appoint, without regard to the provisions of subchapter I of chapter 33 (other than sections 3303 and 3328 of such chapter), a qualified candidate to a position in the competitive service in the Office of Management and Budget to serve as a node member.

“(B) **RULE OF CONSTRUCTION.**—Nothing in subparagraph (A) may be construed to preclude the Director from appointing additional employees, including full-time employees for the purposes described in that subparagraph.

“(2) **TERM AND TEMPORARY APPOINTMENTS OF NODE MEMBERS.**—The Director, on the recommendation of a node leader, may make a noncompetitive temporary appointment or term appointment, for a period of not more than 18 months, of a qualified candidate to serve as a node member in a position in the competitive service for which a critical hiring need exists, as determined under section 3304, without regard to sections 3327 and 3330.

**“§ 10304. Work on behalf of Executive agencies**

“(a) **PURPOSE.**—Each node shall undertake projects to assist Executive agencies by—

“(1) providing digital education and training;

“(2) performing data triage and providing acquisition assistance;

“(3) helping to guide digital projects and frame technical solutions;

“(4) helping to build bridges between public needs and private sector capabilities; and

“(5) performing related tasks.

“(b) **AUTHORITIES.**—A node may undertake a project—

“(1) on behalf of an Executive agency—

“(A) by direct agreement between the Director and the Executive agency; or

“(B) at the direction of the Director at the request of the Executive agency; or

“(2) to address a digital service need encompassing more than 1 Executive agency—

“(A) at the direction of the Director; or

“(B) on the initiative of a node leader.

**§ 10305. Digital Corps Scholarship Program**

“(a) IN GENERAL.—The Director shall establish a National Reserve Digital Corps scholarship program to provide full scholarships to competitively selected students who commit to study specific disciplines relating to national security digital technology.

“(b) SERVICE OBLIGATION.—Each student, before commencing the program established under subsection (a), shall sign an agreement with respect to the student’s commitment to the United States, which shall provide that the student agree to the following:

“(1) A commitment to serve as an intern at an Executive agency for not less than 6 weeks during each of the summers before the junior and senior years of the undergraduate studies of the student.

“(2) A commitment to serve in the National Reserve Digital Corps for 6 years after graduation.

“(c) PROGRAM ELEMENTS.—In establishing the program under subsection (a), the Director shall determine the following:

“(1) Eligibility standards for program participation.

“(2) Criteria for establishing the dollar amount of a scholarship, including tuition, room, and board.

“(3) Repayment requirements for students who fail to complete their service obligation.

“(4) An approach to ensuring that qualified graduates of the program are promptly hired and assigned to node leaders.

“(5) Resources required for the implementation of the program.

“(d) CONTINUING EDUCATION.—The Director shall establish a training and continuing education program to fund educational opportunities for members of the National Reserve Digital Corps, including conferences, seminars, degree and certificate granting programs, and other training opportunities that are expected to increase the digital competencies of the participants.

“(e) IMPLEMENTATION.—In carrying out this chapter, the Director shall have the following responsibilities:

“(1) Establishing the administrative support function and issuing guidance for the National Reserve Digital Corps, which shall include the identification of points of contact for node leaders at Executive agencies.

“(2) Not later than 1 year after the date of the enactment of this chapter, appointing not fewer than 5 node leaders under the National Reserve Digital Corps program and authorizing those node leaders to begin recruiting reservists and undertaking projects for Executive agencies.

“(3) Beginning 2 years after the date of enactment of this chapter, reporting annually to Congress on the progress of the National Reserve Digital Corps, each of which shall address, at a minimum, the following measures of success:

“(A) The number of technologists who participate in the National Reserve Digital Corps.

“(B) Identification of the Executive agencies that submitted work requests, the nature of the work requests, which work requests were assigned a node, and which work requests were completed or remain in progress.

“(C) Evaluations of results of National Reserve Digital Corps projects by Executive agencies.

“(D) Evaluations of results of National Reserve Digital Corps projects by reservists.

**§ 10306. Duration of pilot program**

“The pilot program under this chapter shall terminate not earlier than 6 years after the date of enactment of this chapter.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subpart I of part III of title 5, United States Code, is amended by adding at the end the following:

**“CHAPTER 103—NATIONAL RESERVE DIGITAL CORPS”.**

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the Office of Management and Budget \$16,000,000, to remain available through fiscal year 2023, to carry out chapter 103 of title 5, United States Code, as added by this section.

**SA 2071.** Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —. TECHNOLOGY COMPETITIVENESS COUNCIL.**

The Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.) is amended by adding at the end the following:

**“TITLE VII—TECHNOLOGY COMPETITIVENESS COUNCIL****“SEC. 701. ESTABLISHMENT OF COUNCIL.**

“The President shall establish within the Executive Office of the President a Technology Competitiveness Council (in this title, referred to as the ‘Council’).

**“SEC. 702. MEMBERSHIP OF COUNCIL.**

“(a) IN GENERAL.—The Council shall be composed of the following members:

- “(1) The Vice President.
- “(2) The Secretary of State.
- “(3) The Secretary of the Treasury.
- “(4) The Secretary of Defense.
- “(5) The Attorney General.
- “(6) The Secretary of Commerce.
- “(7) The Secretary of Energy.
- “(8) The Secretary of Homeland Security.
- “(9) The Director of the Office of Management and Budget.

“(10) The Assistant to the President for Technology Competitiveness.

“(11) The Assistant to the President for National Security Affairs.

“(12) The Assistant to the President for Science and Technology.

“(13) The Assistant to the President for Economic Policy.

“(14) The Assistant to the President for Domestic Policy.

“(15) The United States Trade Representative.

“(16) The Chairman of the Joint Chiefs of Staff.

“(17) The heads of such other executive departments and agencies and other senior officials within the Executive Office of the President as the Chairperson of the Council considers appropriate.

“(b) CHAIRPERSON.—The Chairperson of the Council shall be the Vice President.

**“SEC. 703. OPERATION OF COUNCIL.**

(a) RESPONSIBILITIES OF CHAIR.—The Chairperson of the Council—

“(1) shall convene and preside over meetings of the Council and shall determine the agenda for the Council;

“(2) may authorize the establishment of such committees of the Council, including an executive committee, and of such working

groups, composed of senior designees of the Council members and of other officials, as the Chairperson deems necessary or appropriate for the efficient conduct of Council functions; and

“(3) shall report to the President on the activities and recommendations of the Council and shall advise the Council as appropriate regarding the President’s directions with respect to the Council’s activities and national technology policy generally.

“(b) ADMINISTRATION.—

“(1) STAFF.—The Council may hire a staff, which shall be headed by the Assistant to the President for Technology Competitiveness.

“(2) SUPPORT.—

“(A) SUPPORT FROM OFFICE OF ADMINISTRATION.—The Office of Administration in the Executive Office of the President shall provide the Council with such personnel, funding, and administrative support, as directed by the Chair or, upon the Chair’s direction, the Assistant to the President for Technology Competitiveness, subject to the availability of appropriations.

“(B) SUPPORT FROM OTHER AGENCIES.—Subject to the availability of appropriations, members of the Council who are heads of Federal agencies shall make resources, including personnel and office support, available to the Council as reasonably requested by the Chairperson or, upon the Chairperson’s direction, the Assistant to the President for Technology Competitiveness.

“(3) INFORMATION AND ASSISTANCE.—The heads of Federal agencies shall provide to the Council such information and assistance as the Chairperson may request to carry out the functions described in section 704.

“(4) COORDINATION WITH NATIONAL SECURITY COUNCIL.—The Council shall coordinate with the National Security Council on technology policy and strategy matters relating primarily to national security to ensure that the activities of the Council are carried out in a manner that is consistent with the responsibilities and authorities of the National Security Council.

**“SEC. 704. FUNCTIONS OF COUNCIL.**

“The Council shall be responsible for the following:

“(1) Developing recommendations for the President on United States technology competitiveness and technology-related issues, advising and assisting the President in development and implementation of national technology policy and strategy, and performing such other duties as the President may prescribe.

“(2) Developing and overseeing the implementation of a National Technology Strategy required by section 705.

“(3) Serving as a forum for balancing national security, economic, and technology considerations of United States departments and agencies as they pertain to technology research, development, commercial interests, and national security applications.

“(4) Coordinating policies across Federal departments and agencies relating to United States competitiveness in critical and emerging technologies and ensuring that policies designed to promote United States leadership and protect existing competitive advantages are integrated and mutually reinforcing.

“(5) Synchronizing budgets and strategies, in consultation with the Director of the Office of Management and Budget, in accordance with the National Technology Strategy required by section 705.

**“SEC. 705. NATIONAL TECHNOLOGY STRATEGY.**

“(a) IN GENERAL.—Each year, the President shall submit to Congress a comprehensive report on the technology strategy of the United States designed to maintain United States leadership in critical and emerging

technologies essential to United States national security and economic prosperity.

“(b) ELEMENTS.—Each National Technology Strategy developed and submitted under subsection (a) shall contain at least the following elements:

“(1) An assessment of the efforts of the United States Government to preserve United States leadership in key emerging technologies and prevent United States strategic competitors from leveraging advanced technologies to gain strategic military or economic advantages over the United States.

“(2) A review of existing United States Government technology policy, including long-range goals.

“(3) An analysis of technology trends and assessment of the relative competitiveness of United States technology sectors in relation to strategic competitors.

“(4) Identification of sectors critical for the long-term resilience of United States innovation leadership across design, manufacturing, supply chains, and markets.

“(5) Recommendations for domestic policy incentives to sustain an innovation economy and develop specific, high-cost sectors necessary for long-term national security ends.

“(6) Recommendations for policies to protect United States and leadership of allies of the United States in critical areas through targeted export controls, investment screening, and counterintelligence activities.

“(7) Identification of priority domestic research and development areas critical to national security and necessary to sustain United States leadership, and directing funding to fill gaps in basic and applied research where the private sector does not focus.

“(8) Recommendations for talent programs to grow United States talent in key critical and emerging technologies and enhance the ability of the Federal Government to recruit and retain individuals with critical skills into Federal service.

“(9) Methods to foster the development of international partnerships to reinforce domestic policy actions, build new markets, engage in collaborative research, and create an international environment that reflects United States values and protects United States interests.

“(10) A technology annex, which may be classified, to establish an integrated and enduring approach to the identification, prioritization, development, and fielding of emerging technologies.

“(11) Such other information as may be necessary to help inform Congress on matters relating to the technology strategy of the United States.”

**SA 2072.** Mr. BENNET (for himself and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2102(c), at the end add the following:

(10) shall, consistent with the mission and operations of the Foundation and to the extent possible, where appropriate—

(A) advance federally funded research and development that is consistent with democratic values, such as civil liberties and civil

rights, privacy, fairness, nondiscrimination, transparency, the rule of law, and accountability;

(B) study the consequences for such values of federally funded research and development in the key technology focus areas; and

(C) assess the ethical, social, and legal implications of such research and development.

In title V of division B, at the end add the following:

**SEC. 25. EMERGING TECHNOLOGY LEADS.**

(a) DEFINITIONS.—In this section:

(1) COVERED INDIVIDUAL.—The term “covered individual” means—

(A) an individual serving in a Senior Executive Service position, as that term is defined in section 3132(a) of title 5, United States Code;

(B) an individual who—

(i) is serving in a position to which section 5376 of title 5, United States Code, applies; and

(ii) has a significant amount of seniority and experience, as determined by the head of the applicable covered Federal agency; or

(C) another individual who is the equivalent of an individual described in subparagraph (A) or (B), as determined by the head of the applicable covered Federal agency.

(2) COVERED FEDERAL AGENCY.—The term “covered Federal agency” means—

(A) an agency listed in section 901(b) of title 31, United States Code; or

(B) an element of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(b) APPOINTMENT OR DESIGNATION.—Each covered Federal agency that is also substantially engaged in the development, application, or oversight of emerging technologies shall consider appointing or designating a covered individual as an emerging technology lead to advise the agency on the responsible use of emerging technologies, including artificial intelligence, provide expertise on responsible policies and practices, collaborate with interagency coordinating bodies, and provide input for procurement policies.

(c) INFORMING CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the President shall inform Congress of each covered Federal agency in which a covered individual has been appointed or designated as an emerging technology lead under subsection (b) and provide Congress with a description of the authorities and responsibilities of the covered individuals so appointed.

**SA 2073.** Mr. TILLIS (for himself and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ REIMBURSEMENT FOR REPLACEMENT OF CERTAIN UNMANNED AIRCRAFT SYSTEMS.**

(a) AMENDMENT.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.) is amended by adding at the end the following:

**“SEC. 2010. REPLACEMENT OF CERTAIN UNMANNED AIRCRAFT SYSTEMS.**

“(a) DEFINITIONS.—In this section:

“(1) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ‘covered unmanned aircraft system’ means an unmanned aircraft system that was manufactured or assembled in China.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a State or local government that owns or operates critical infrastructure;

“(B) a State or local public safety agency; and

“(C) a State department of transportation.

“(3) PUBLIC SAFETY AGENCY.—The term ‘public safety agency’ has the meaning given the term in section 3006 of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note).

“(4) UNITED STATES ALLY.—The term ‘United States ally’ means a—

“(A) North Atlantic Treaty Organization (NATO) ally; and

“(B) country designated by the President as a major non-NATO ally pursuant to section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k).

“(5) UNMANNED AIRCRAFT SYSTEM.—The term ‘unmanned aircraft system’ has the meaning given the term in section 44801, of title 49, United States Code.

“(b) REIMBURSEMENT AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary, acting through the Administrator, may award grants to eligible entities to replace covered unmanned aircraft systems in accordance with paragraph (2).

“(2) USE OF FUNDS.—A grant awarded under paragraph (1) may be used by an eligible entity to purchase an unmanned aircraft system manufactured or assembled by a company domiciled in the United States or a United States ally to replace a covered unmanned aircraft system owned by the eligible entity.

“(c) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Homeland Security \$20,000,000 for fiscal year 2022 to carry out this section.

“(2) SPECIFICATION.—Of the amounts authorized to be appropriated under paragraph (1)—

“(A) \$10,000,000 is authorized for eligible recipients located in jurisdictions that receive funding under section 2003; and

“(B) \$10,000,000 is authorized for eligible recipients located in jurisdictions that receive funding under section 2004.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 2002(a) of the Homeland Security Act of 2002 (6 U.S.C. 603(a)) is amended by striking “and 2009” and inserting “2009, and 2010”.

(2) The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 2009 the following:

“Sec. 2010. Replacement of certain unmanned aircraft systems.”

**SA 2074.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 341, strike line 24 and all that follows through page 342, line 19, and insert the following:

(1) PROCEEDING.—Not later than 45 days after the date of enactment of this division, the Secretary of Commerce shall commence a process to make a determination for purposes of section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601) whether future transactions involving optical transmission equipment manufactured, produced, or distributed by an entity owned, controlled, or supported by the People's Republic of China would pose an unacceptable risk to the national security of the United States or the security and safety of United States persons.

(2) COMMUNICATION OF DETERMINATION.—If the Secretary determines pursuant to paragraph (1) that future transactions involving such optical transmission equipment would pose an unacceptable risk consistent with that paragraph, the Secretary shall immediately transmit that determination to the Federal Communications Commission consistent with section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601).

**SA 2075.** Ms. HASSAN (for herself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ CYBERSECURITY AND INFRASTRUCTURE SECURITY APPRENTICESHIP PROGRAM.**

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

**“SEC. 2218. APPRENTICESHIP PROGRAM.**

“(a) DEFINITIONS.—In this section:

“(1) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ‘area career and technical education school’ has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

“(2) COMMUNITY COLLEGE.—The term ‘community college’ means a public institution of higher education at which the highest degree that is predominantly awarded to students is an associate’s degree, including—

“(A) a 2-year Tribal College or and University, as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c); and

“(B) a public 2-year State institution of higher education.

“(3) CYBERSECURITY WORK ROLES.—The term ‘cybersecurity work roles’ means the work roles outlined in the National Initiative for Cybersecurity Education Cybersecurity Workforce Framework (NIST Special Publication 800–181), or any successor framework.

“(4) EDUCATION AND TRAINING PROVIDER.—The term ‘education and training provider’ means—

“(A) an area career and technical education school;

“(B) an early college high school;

“(C) an educational service agency;

“(D) a high school;

“(E) a local educational agency or State educational agency;

“(F) a Tribal educational agency, Tribally controlled college or university, or Tribally controlled postsecondary career and technical institution;

“(G) a postsecondary educational institution;

“(H) a minority-serving institution;

“(I) a provider of adult education and literacy activities under the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

“(J) a local agency administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741);

“(K) a related instruction provider, including a qualified intermediary acting as a related instruction provider as approved by a registration agency;

“(L) a Job Corps center, as defined in section 142 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3192); or

“(M) a consortium of entities described in any of subparagraphs (A) through (L).

“(5) ELIGIBLE ENTITY.—

“(A) IN GENERAL.—The term ‘eligible entity’ means—

“(i) a program sponsor;

“(ii) a State workforce development board or State workforce agency, or a local workforce development board or local workforce development agency;

“(iii) an education and training provider;

“(iv) if the applicant is in a State with a State apprenticeship agency, such State apprenticeship agency;

“(v) an Indian Tribe or Tribal organization;

“(vi) an industry or sector partnership, a group of employers, a trade association, or a professional association that sponsors or participates in a program under the national apprenticeship system;

“(vii) a Governor of a State;

“(viii) a labor organization or joint labor-management organization; or

“(ix) a qualified intermediary.

“(B) SPONSOR REQUIREMENT.—Not fewer than 1 entity described in subparagraph (A) shall be the sponsor of a program under the national apprenticeship system.

“(6) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(7) LOCAL EDUCATIONAL AGENCY; SECONDARY SCHOOL.—The terms ‘local educational agency’ and ‘secondary school’ have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(8) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term ‘local workforce development board’ has the meaning given the term ‘local board’ in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(9) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code.

“(10) PROVIDER OF ADULT EDUCATION.—The term ‘provider of adult education’ has the meaning given the term ‘eligible provider’ in section 203 of the Adult Education and Family Literacy Act (29 U.S.C. 3272).

“(11) RELATED INSTRUCTION.—The term ‘related instruction’ means an organized and systematic form of instruction designed to provide an individual in an apprenticeship program with the knowledge of the technical subjects related to the intended occupation

of the individual after completion of the program.

“(12) SPONSOR.—The term ‘sponsor’ means any person, association, committee, or organization operating an apprenticeship program and in whose name the program is, or is to be, registered or approved.

“(13) STATE APPRENTICESHIP AGENCY.—The term ‘State apprenticeship agency’ has the meaning given the term in section 29.2 of title 29, Code of Federal Regulations, or any corresponding similar regulation or ruling.

“(14) STATE WORKFORCE DEVELOPMENT BOARD.—The term ‘State workforce development board’ has the meaning given the term ‘State board’ in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(15) WIOA TERMS.—The terms ‘career planning’, ‘community-based organization’, ‘economic development agency’, ‘industry or sector partnership’, ‘on-the-job training’, ‘recognized postsecondary credential’, and ‘workplace learning advisor’ have the meanings given those terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(16) QUALIFIED INTERMEDIARY.—

“(A) IN GENERAL.—The term ‘qualified intermediary’ means an entity that demonstrates expertise in building, connecting, sustaining, and measuring the performance of partnerships described in subparagraph (B) and serves program participants and employers by—

“(i) connecting employers to programs under the national apprenticeship system;

“(ii) assisting in the design and implementation of such programs, including curriculum development and delivery for related instruction;

“(iii) supporting entities, sponsors, or program administrators in meeting the registration and reporting requirements of this Act;

“(iv) providing professional development activities such as training to mentors;

“(v) supporting the recruitment, retention, and completion of potential program participants, including nontraditional apprenticeship populations and individuals with barriers to employment;

“(vi) developing and providing personalized program participant supports, including by partnering with organizations to provide access to or referrals for supportive services and financial advising;

“(vii) providing services, resources, and supports for development, delivery, expansion, or improvement of programs under the national apprenticeship system; or

“(viii) serving as a program sponsor.

“(B) PARTNERSHIPS.—The term ‘partnerships described in subparagraph (B)’ means partnerships among entities involved in, or applying to participate in, programs under the national apprenticeship system, including—

“(i) industry or sector partnerships;

“(ii) partnerships among employers, joint labor-management organizations, labor organizations, community-based organizations, industry associations, State or local workforce development boards, education and training providers, social service organizations, economic development organizations, Indian Tribes or Tribal organizations, one-stop operators, one-stop partners, or veterans service organizations in the State workforce development system; or

“(iii) partnerships among 1 or more of the entities described in clauses (i) and (ii).

“(b) ESTABLISHMENT OF APPRENTICESHIP PROGRAMS.—Not later than 2 years after the date of enactment of this section, the Director may establish 1 or more apprenticeship programs as described in subsection (c).

“(c) APPRENTICESHIP PROGRAMS DESCRIBED.—An apprenticeship program described in this subsection is an apprenticeship program that—

“(1) leads directly to employment in—  
“(A) a cybersecurity work role with the Agency; or

“(B) a position with a company or other entity provided that the position is—

“(i) certified by the Director as contributing to the national cybersecurity of the United States; and

“(ii) funded at least in majority part through a contract, grant, or cooperative agreement with the Agency;

“(2) is focused on competencies and related learning necessary, as determined by the Director, to meet the immediate and ongoing needs of cybersecurity work roles at the Agency; and

“(3) is registered with and approved by the Office of Apprenticeship of the Department of Labor or a State apprenticeship agency pursuant to the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 29 U.S.C. 50 et seq.).

“(d) COORDINATION.—In the development of an apprenticeships program under this section, the Director shall consult with the Secretary of Labor, the Director of the National Institute of Standards and Technology, the Secretary of Defense, the Director of the National Science Foundation, and the Director of the Office of Personnel Management to leverage existing resources, research, communities of practice, and frameworks for developing cybersecurity apprenticeship programs.

“(e) OPTIONAL USE OF GRANTS OR COOPERATIVE AGREEMENTS.—An apprenticeship program under this section may include entering into a contract or cooperative agreement with or making a grant to an eligible entity if determined appropriate by the Director based on the eligible entity—

“(1) demonstrating experience in implementing and providing career planning and career pathways toward apprenticeship programs;

“(2) having knowledge of cybersecurity workforce development;

“(3) being eligible to enter into a contract or cooperative agreement with or receive grant funds from the Agency as described in this section;

“(4) providing students who complete the apprenticeship program with a recognized postsecondary credential;

“(5) using related instruction that is specifically aligned with the needs of the Agency and utilizes workplace learning advisors and on-the-job training to the greatest extent possible; and

“(6) demonstrating successful outcomes connecting graduates of the apprenticeship program to careers relevant to the program.

“(f) APPLICATIONS.—If the Director enters into an arrangement as described in subsection (e), an eligible entity seeking a contract, cooperative agreement, or grant under the program shall submit to the Director an application at such time, in such manner, and containing such information as the Director may require.

“(g) PRIORITY.—In selecting eligible entities to receive a contract, grant, or cooperative agreement under this section, the Director may prioritize an eligible entity that—

“(1) is a member of an industry or sector partnership;

“(2) provides related instruction for an apprenticeship program through—

“(A) a local educational agency, a secondary school, a provider of adult education, an area career and technical education school, or an institution of higher education; or

“(B) an apprenticeship program that was registered with the Department of Labor or

a State apprenticeship agency before the date on which the eligible entity applies for the grant under subsection (g);

“(3) works with the Secretary of Defense, the Secretary of Veterans Affairs, or veterans organizations to transition members of the Armed Forces and veterans to apprenticeship programs in a relevant sector; or

“(4) plans to use the grant to carry out the apprenticeship program with an entity that receives State funding or is operated by a State agency.

“(h) TECHNICAL ASSISTANCE.—The Director shall provide technical assistance to eligible entities to leverage the existing job training and education programs of the Agency and other relevant programs at appropriate Federal agencies.

“(i) EXCEPTED SERVICE.—Participants in the program may be entered into cybersecurity-specific excepted service positions as determined appropriate by the Director and authorized by section 2208.

“(j) REPORT.—

“(1) IN GENERAL.—Not less than once every 2 years after the establishment of an apprenticeship program under this section, the Director shall submit to Congress a report on the program, including—

“(A) a description of—

“(i) any activity carried out by the Agency under this section;

“(ii) any entity that enters into a contract or agreement with or receives a grant from the Agency under subsection (e);

“(iii) any activity carried out using a contract, agreement, or grant under this section as described in subsection (e); and

“(iv) best practices used to leverage the investment of the Federal Government under this section; and

“(B) an assessment of the results achieved by the program, including the rate of continued employment at the Agency for participants after completing an apprenticeship program carried out under this section.

“(k) PERFORMANCE REPORTS.—Not later than 1 year after the establishment of an apprenticeship program under this section, and annually thereafter, the Director shall submit to Congress and the Secretary of Labor a report on the effectiveness of the program based on the accountability measures described in clauses (i) and (ii) of section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)).

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

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2217 the following:

“Sec. 2218. Apprenticeship program.”.

**SEC. \_\_\_\_ PILOT PROGRAM ON CYBER TRAINING FOR VETERANS AND MEMBERS OF THE ARMED FORCES TRANSITIONING TO CIVILIAN LIFE.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE INDIVIDUAL.—The term “eligible individual” means an individual who is—

(A) a member of the Armed Forces transitioning from service in the Armed Forces to civilian life; or

(B) a veteran.

(2) PORTABLE CREDENTIAL.—The term “portable credential”—

(A) means a documented award by a responsible and authorized entity that has determined that an individual has achieved specific learning outcomes relative to a given standard; and

(B) includes a degree, diploma, license, certificate, badge, and professional or industry certification that—

(i) has value locally and nationally in labor markets, educational systems, or other contexts;

(ii) is defined publicly in such a way that allows educators, employers, and other individuals and entities to understand and verify the full set of skills represented by the credential; and

(iii) enables a holder of the credential to move vertically and horizontally within and across training and education systems for the attainment of other credentials.

(3) VETERAN.—The term “veteran” has the meaning given the term in section 101 of title 31, United States Code.

(4) WORK-BASED LEARNING.—The term “work-based learning” has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program under which the Secretary shall provide cyber-specific training for eligible individuals.

(c) ELEMENTS.—The pilot program established under subsection (b) shall incorporate—

(1) virtual platforms for coursework and training;

(2) hands-on skills labs and assessments;

(3) Federal work-based learning opportunities and programs; and

(4) the provision of portable credentials to eligible individuals who graduate from the pilot program.

(d) ALIGNMENT WITH NICE WORKFORCE FRAMEWORK FOR CYBERSECURITY.—The pilot program established under subsection (b) shall align with the taxonomy, including work roles and associated tasks, knowledge, and skills, from the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity (NIST Special Publication 800–181), or any successor framework.

(e) COORDINATION.—

(1) TRAINING, PLATFORMS, AND FRAMEWORKS.—In developing the pilot program under subsection (b), the Secretary of Veterans Affairs shall coordinate with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Labor, and the Director of the Office of Personnel Management to evaluate and, where possible, leverage existing training, platforms, and frameworks of the Federal Government for providing cyber education and training to prevent duplication of efforts.

(2) FEDERAL WORK-BASED LEARNING OPPORTUNITIES AND PROGRAMS.—In developing the Federal work-based learning opportunities and programs required under subsection (c)(3), the Secretary of Veterans Affairs shall coordinate with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Labor, the Director of the Office of Personnel Management, and the heads of other appropriate Federal agencies to identify or create interagency opportunities that will enable the pilot program established under subsection (b) to—

(A) bridge the gap between knowledge acquisition and skills application for participants; and

(B) give participants the experience necessary to pursue Federal employment.

(f) RESOURCES.—

(1) IN GENERAL.—In any case in which the pilot program established under subsection (b)—

(A) uses a program of the Department of Veterans Affairs or platforms and frameworks described in subsection (e)(1), the Secretary of Veterans Affairs shall take such actions as may be necessary to ensure that those programs, platforms, and frameworks are expanded and resourced to accommodate

usage by eligible individuals participating in the pilot program; or

(B) does not use a program of the Department of Veterans Affairs or platforms and frameworks described in subsection (e)(1), and the Secretary of Veterans Affairs shall take such actions as may be necessary to develop or procure programs, platforms, and frameworks necessary to carry out the requirements of subsection (c) and accommodate the usage by eligible individuals participating in the pilot program.

(2) ACTIONS.—Actions described in paragraph (1) may include providing additional funding, staff, or other resources to—

(A) provide administrative support for basic functions of the pilot program;

(B) ensure the success and ongoing engagement of eligible individuals participating in the pilot program;

(C) connect graduates of the pilot program to job opportunities within the Federal Government; and

(D) allocate dedicated positions for term employment to enable Federal work-based learning opportunities and programs for participants to gain the experience necessary to pursue permanent Federal employment.

**SA 2076.** Ms. HASSAN submitted an amendment intended to be proposed to amendment SA 1835 submitted by Ms. HASSAN and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be added, add the following:

**SECTION 3219L. ACTION PLAN AND REPORT ON OUTCOMES OF THE WORLD HEALTH ASSEMBLY.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Permanent Select Committee on Intelligence of the House of Representatives;

(F) the Committee on Energy and Commerce of the House of Representatives.

(2) WHA.—The term “WHA” means the World Health Assembly.

(b) REPORT ON OFFICE OF GLOBAL AFFAIRS ACTIVITIES FOLLOWING COVID-19 PANDEMIC.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, shall provide to the appropriate committees of Congress a report that includes—

(1) a summary of planned interagency and global health efforts that the Office of Global Affairs intends to take in its work with international institutions, including the World Health Organization and its member states, in response to lessons learned during the COVID-19 pandemic;

(2) a description of the actions taken by the Office of Global Affairs as part of the

COVID-19 pandemic response that could address future public health emergencies of international concern;

(3) an assessment of engagements with the People’s Republic of China regarding COVID-19, both bilaterally and through international institutions; and

(4) how the lessons learned from the assessment described in paragraph (3) could be applied to future scenarios to address public health emergencies of international concern.

(c) ANNUAL REPORT ON THE WORLD HEALTH ASSEMBLY.—Not later than 180 days after the closing session of each annual WHA, the Secretary of Health and Human Services, in coordination with the Director of National Intelligence, the Secretary of State, and the heads of other relevant executive departments, shall submit a report to the appropriate committees of Congress that describes—

(1) the strategy of the United States Government for addressing national security and public health risks related to COVID-19 and emerging infectious diseases through diplomatic engagements;

(2) the actions taken by the United States Government during such annual WHA; and

(3) how the results of such actions advance the goals of the United States Government.

(d) FORM.—The report required under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

**SA 2077.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3138.

**SA 2078.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

**TITLE —STEM RESEARCH GAINS**  
**SEC. 1. SHORT TITLE.**

This title may be cited as the “Strengthening the STEM Research Workforce to Generate American Infrastructure for National Security Act of 2021” or the “STEM Research GAINS Act of 2021”.

**SEC. 2. DEFINITIONS.**

In this title:

(1) COVERED FIELD.—The term “covered field” means a field in science, technology, engineering, or mathematics research or development that is determined to be—

(A) a subject area relating to the national security of the United States;

(B) a subject area relating to the United States’ ability to compete in an open, fair, and competitive international market and achieve economic growth; or

(C) a subject area that is in need of expanded and strengthened academic pipelines to ensure a diverse workforce.

(2) DIRECTOR.—The term “Director” means the Director of the National Science Foundation.

(3) FEDERAL SCIENCE AGENCY.—The term “Federal science agency” has the meaning given the term in section 103(f) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 6623(f)).

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” means an institution of higher education described in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) MINORITY.—The term “minority” has the meaning given the term in section 356(2) of the Higher Education Act of 1965 (20 U.S.C. 1067k(2)).

(6) MINORITY-SERVING INSTITUTION.—The term “minority-serving institution” means—

(A) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(B) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1101a));

(C) a Tribal College or University (as defined in section 316 of that Act (20 U.S.C. 1059c));

(D) an Alaska Native-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(E) a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(F) a Predominantly Black Institution (as defined in section 318 of that Act (20 U.S.C. 1059e));

(G) an Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of that Act (20 U.S.C. 1059g(b))); or

(H) a Native American-serving, nontribal institution (as defined in section 319 of that Act (20 U.S.C. 1059f)).

(7) STEM.—The term “STEM” means science, technology, engineering, and mathematics, including computer science.

(8) UNDERREPRESENTED FIELD.—The term “underrepresented field” means a field in STEM in which the national rate of representation of women among tenured, tenure-track faculty, or nonfaculty researchers at doctorate-granting institutions of higher education is less than 25 percent, according to the most recent data available from the National Center for Science and Engineering Statistics.

(9) UNDERREPRESENTED IN SCIENCE AND ENGINEERING.—The term “underrepresented in science and engineering” means a minority group whose number of scientists and engineers, per 10,000 population of that group, is substantially below the comparable figure for scientists and engineers who are white and not of Hispanic origin, as determined by the Secretary of Education under section 637.4(b) of title 34, Code of Federal Regulations, or similar successor regulations.

**Subtitle A—Expanding Pipeline Programs to Research Opportunities**

**SEC. 11. RESEARCH AND DEVELOPMENT AREAS CRITICAL TO NATIONAL SECURITY.**

(a) COVERED FIELDS.—The National Security Council shall conduct a study to identify areas for research and development that are covered fields.

(b) UPDATE.—Not less than once every 5 years, the National Security Council shall reassess the covered fields.

**SEC. 12. INCREASING INVESTMENT IN UNDERGRADUATE SCIENCE PIPELINES.**

(a) IN GENERAL.—There are authorized to be appropriated to the National Science Foundation \$750,000,000 for fiscal year 2022 and for each of the following 4 years, which shall be used, in amounts determined by the Director, for the following programs:

(1) The Historically Black Colleges and Universities Undergraduate Program.

(2) The Louis Stokes Alliances for Minority Participation program.

(3) The Research Experiences for Undergraduates program.

(4) The Tribal Colleges and Universities Program.

(5) The Improving Undergraduates STEM Education: Hispanic-Serving Institutions Program.

(6) Other programs to broaden participation, as determined by the Director.

(b) SUPPLEMENT NOT SUPPLANT.—The amounts authorized under subsection (a) shall supplement, and not supplant, any other amounts authorized for the National Science Foundation for the programs described in such subsection.

**SEC. 14. BOLSTERING STEM PIPELINES STRATEGIC PLAN.**

(a) BROADENING PARTICIPATION STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Federal Coordination in STEM Education Subcommittee (FC-STEM) of the Committee on Science, Technology, Engineering, and Mathematics Education (CoSTEM) of the National Science and Technology Council shall submit to Congress a report containing its current strategic plan for Federal science agencies to increase the capacity of STEM programs carried out by Federal science agencies that are in effect as of the date of the report to increase the participation of individuals who are underrepresented in science and engineering, women who are underrepresented in STEM fields, and low-income and first-generation college students, in order to broaden participation in grants and programs carried out by the Federal science agencies. The report shall include—

(1) a description of how the grants and programs that are carried out by the Federal science agencies, as of the time of the report, are carried out in a manner that advances diverse pipelines in STEM fields, and a description of how the Federal science agencies can better advance such diverse pipelines;

(2) an analysis of the data collection that would allow for meaningful goal setting and transparency relating to the Federal science agencies' progress in broadening participation of individuals from groups that are underrepresented in science and engineering with respect to those grants and programs;

(3) an analysis of how the Federal science agencies can meet goals related to broadening the participation of individuals from groups that are underrepresented in science and engineering by—

(A) creating or expanding funding opportunities;

(B) modifying existing research and development programs; and

(C) establishing coordination between existing programs carried out by the Federal science agencies;

(4) a description of the ways that the National Science Foundation works with minority-serving institutions to—

(A) enable those eligible institutions to compete effectively for grants, contracts, or cooperative agreements carried out by the National Science Foundation;

(B) encourage those eligible institutions to participate in programs carried out by the Federal science agencies; and

(C) encourage students and faculty at the eligible institution to apply for and success-

fully earn graduate and professional opportunities from programs supported by the Federal science agencies;

(5) an analysis of the best ways to share best practices for institutions of higher education and Federal science agencies interested in supporting individuals from groups that are underrepresented in science and engineering; and

(6) an analysis of how the Federal science agencies can work together to advance goals related to broadening the participation of individuals from groups that are underrepresented in science and engineering.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, the Federal Coordination in STEM Education Subcommittee (FC-STEM) of the Committee on Science, Technology, Engineering, and Mathematics Education (CoSTEM) of the National Science and Technology Council shall report to Congress on the implementation by Federal science agencies of the policy guidelines developed under this section.

**SEC. 15. RESEARCH PROGRAM CLEARINGHOUSE AND TECHNICAL ASSISTANCE CENTER.**

(a) OPPORTUNITIES CLEARINGHOUSE.—The Federal Coordination in STEM Education Subcommittee (FC-STEM) of the Committee on Science, Technology, Engineering, and Mathematics Education (CoSTEM) of the National Science and Technology Council shall establish and maintain a public clearinghouse (including by maintaining a publicly available website) of all research programs sponsored by Federal science agencies that are available to individuals as undergraduate and graduate students.

(b) BEST PRACTICES CLEARINGHOUSE.—The Director shall fund the establishment and maintenance of a clearinghouse that will collect, analyze, identify, disseminate, and make publicly available information about best practices for institutions of higher education to strengthen the pipeline of individuals pursuing careers in covered fields.

(c) TECHNICAL ASSISTANCE.—The Director shall fund the establishment and maintenance of a robust technical assistance center that shall work with institutions of higher education seeking to implement strategies to—

(1) bolster and diversify the student body at the institution that pursue STEM fields; and

(2) support students underrepresented in science and engineering who are pursuing research-based STEM studies to help those students continue and complete those studies.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) to carry out subsections (a) and (b), \$2,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years; and

(2) to carry out subsection (c), \$1,000,000 for fiscal year 2022 and for each of the 4 succeeding fiscal years.

**Subtitle B—Increasing Funding for Graduate Education****SEC. 21. STRENGTHENING TRANSPARENCY.**

(a) ASSESSMENTS.—The Director shall conduct regular assessments of graduate research fellowship programs carried out by the National Science Foundation and provide additional publicly available information about those programs, including for each program—

(1) the number of applications received, disaggregated by undergraduate and graduate institution, race, gender, age, and eligibility for a Federal Pell Grant;

(2) the number of applications approved, disaggregated by undergraduate and graduate institution, race, gender, age, and eligibility for a Federal Pell Grant; and

(3) the types of institutions of higher education that are awarded grants to develop a diverse STEM workforce, disaggregated by undergraduate population, public or private institution, and type of minority-serving institutions.

(b) REPORTS.—The Director shall prepare and submit to Congress, and make publicly available, annual reports that show trends in how research fellowships and scholarships supported by the National Science Foundation are awarded to individuals from underrepresented groups, institutions of higher education, and entities from different geographic areas, in order to better show trends in the participation of underrepresented groups in such research fellowships and scholarships.

**Subtitle C—Strengthening the National Security Research Workforce****SEC. 31. EARLY CAREER FACULTY SUPPORTS.**

(a) RISING FACULTY PROFESSIONAL ADVANCEMENT PROGRAM.—

(1) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Director shall select an organization to establish a 5-year pilot mentorship program to be known as “Rising Faculty Professional Advancement Program” (referred to in this section as the “program”) in order to increase the diversity of faculty in STEM fields.

(2) PURPOSE.—The purpose of the Rising Faculty Professional Advancement Program shall be—

(A) to increase the number of doctoral-level professionals from underrepresented groups in STEM fields who transition into faculty positions at institutions of higher education; and

(B) to improve mentorship and training for researchers who are navigating the transition in the research pipeline to becoming faculty, which is a time when a significant decrease in diversity often occurs.

(b) PROGRAM PARTICIPANTS.—

(1) ELIGIBILITY.—An individual shall be eligible to participate in the program if the individual is a doctoral degree holding researcher in a post-doctoral research position or early-career faculty (defined as a faculty researcher with a title of assistant professor or other non-tenured equivalent).

(2) PRIORITY.—In selecting applicants to participate in the program—

(A) priority shall be given to—

(i) applicants from groups who are underrepresented in science and engineering; or

(ii) applicants holding degrees from or faculty positions at minority-serving institutions; and

(B) additional consideration may be given to—

(i) applicants holding doctoral degrees from institutions of higher education in the bottom 90 percent of research and development expenditures, as ranked by the National Center for Science and Engineering Statistics; and

(ii) applicants who are women and who hold positions from underrepresented fields.

(c) ACTIVITIES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the organization shall establish program activities including—

(A) training for Rising Faculty and mentors;

(B) a program curriculum; and

(C) benchmarks for mentor engagement.

(2) COLLABORATIVE RESEARCH.—The organization shall encourage program mentors to network and enter into collaboration on research projects with Rising Faculty and other mentors within the program.

(3) SURVEY.—Following the first year of program enrollment, and on an annual basis during the program, the organization shall—



(A) conduct a survey of Rising Faculty and mentors to determine best practices and outcomes achieved;

(B) collect information about the demographics of Rising Faculty and mentor participants; and

(C) conduct additional surveys or other analyses of Rising Faculty who completed the program to assess career progression for not more than 5 years following the completion of the program by Rising Faculty.

(d) **ASSESSMENT OF THE PILOT PROGRAM AND RECOMMENDATIONS.**—Not later than 180 days after the conclusion of the pilot program, the Director shall provide a report to the appropriate committees of Congress with respect to the pilot program, which shall include—

(1) a description and evaluation of the status and effectiveness of the program, including a summary of survey data collected;

(2) an assessment of the success and utility of the pilot program in meeting the purposes of this section;

(3) a summary and analysis of the types and frequency of activities and policies developed and carried out under the pilot program; and

(4) a recommendation about continuing the program on a pilot or permanent basis.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$10,000,000 in each of fiscal years 2022 through 2026.

**SA 2079.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 5212, insert the following:

**SEC. 5213. PROCESS TO SCREEN GIFTS AND CONTRACTS TO INSTITUTIONS OF HIGHER EDUCATION FROM THE PEOPLE'S REPUBLIC OF CHINA.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall establish and implement a process for the screening of gifts and contracts described in subsection (b) to institutions of higher education.

(b) **GIFTS AND CONTRACTS DESCRIBED.**—A gift or contract described in this subsection is any gift to an institution of higher education from a Chinese person, or the entry into a contract by such an institution with a Chinese person, if—

(1)(A) the value of the gift or contract equals or exceeds \$1,000,000; or

(B) the institution receives, directly or indirectly, more than one gift from or enters into more than one contract, directly or indirectly, with the same Chinese person for the same purpose the aggregate value of which, during the period of 2 consecutive calendar years, equals or exceeds \$1,000,000; and

(2) the gift or contract—

(A) relates to research, development, or production of critical technologies and provides the Chinese person potential access to any material nonpublic technical information in the possession of the institution; or

(B) is a restricted or conditional gift or contract (as defined in section 117(h) of the Higher Education Act of 1965 (20 U.S.C. 1011f(h))) that establishes control.

(c) **DEFINITIONS.**—In this section:

(1) **CHINESE PERSON.**—The term “Chinese person” means—

(A) an individual who is a citizen or national of the People's Republic of China; or

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China.

(2) **CONTRACT.**—The term “contract” means any agreement for the acquisition by purchase, lease, or barter of property or services by a Chinese person, for the direct benefit or use of either of the parties.

(3) **GIFT.**—The term “gift” means any gift of money or property.

(4) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” means any institution, public or private, or, if a multicampus institution, any single campus of such institution, in any State—

(A) that is legally authorized within such State to provide a program of education beyond secondary school;

(B) that provides a program for which the institution awards a bachelor's degree (or provides not less than a 2-year program which is acceptable for full credit toward such a degree) or a more advanced degree;

(C) that is accredited by a nationally recognized accrediting agency or association; and

(D) to which the Federal Government extends Federal financial assistance (directly or indirectly through another entity or person), or that receives support from the extension of Federal financial assistance to any of the institution's subunits.

(5) **MATERIAL NONPUBLIC TECHNICAL INFORMATION.**—The term “material nonpublic technical information” has the meaning given that term in section 721(a)(4)(D) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)(D)).

**SA 2080.** Mr. KING (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

**SEC. 2309. PRIORITIZATION AND PROTECTION OF INTERNATIONAL RESEARCH.**

(a) **LIST OF ALLIED COUNTRIES.**—The Secretary of State, in consultation with the Director of the Office of Science and Technology Policy, the National Security Council, the Secretary of Energy, the Director of the National Science Foundation and the heads of other relevant agencies, shall create a list of allied countries with which joint international research and cooperation would advance United States national interests and advance scientific knowledge in key technology focus areas.

(b) **ESTABLISHMENT OF SECURITY PROCEDURES.**—The Secretary of State, in consultation with the individuals and entities listed in subsection (a), shall collaborate with similar entities in the countries appearing on the list created pursuant to subsection (a) to develop, coordinate, and agree to general security policies and procedures, consistent

with the policies and procedures developed pursuant to sections 2304 and 2305, for governmental, academic, and private sector research, to prevent sensitive research from being disclosed to adversaries.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the individuals and entities listed in subsection (a), and allied countries appearing on the list created pursuant to subsection (a), shall submit a report to Congress that identifies the most promising international research ventures that leverage resources and advance research in key technology focus areas.

**SA 2081.** Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2510 of division B, strike subsections (a) through (d) and insert the following:

(a) **MANDATORY ORIGIN AND LOCATION DISCLOSURE FOR PRODUCTS OFFERED FOR SALE ON THE INTERNET.**—

(1) **IN GENERAL.**—

(A) **DISCLOSURE.**—Subject to subparagraph (C), it shall be unlawful for a product that is required to be marked under a provision of law (or its implementing regulations) described in subparagraph (B) to be introduced, sold, advertised, or offered for sale in commerce on an internet website unless the internet website description of the product—

(i) indicates in a conspicuous place the country of origin of the product (or, in the case of multi-sourced products, countries of origin), in a manner consistent with the regulations prescribed under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) and the country of origin marking regulations administered by U.S. Customs and Border Protection; and

(ii) indicates in a conspicuous place the country in which the seller of the product is located (and, if applicable, the country in which any parent corporation of such seller is located).

(B) **PROVISIONS OF LAW DESCRIBED.**—The provisions of law described in this subparagraph are the following:

(i) Section 32304 of title 49, United States Code.

(ii) Section 2 of the Textile Fiber Products Identification Act (15 U.S.C. 70b)).

(iii) Section 2 of the Wool Products Labeling Act of 1939 (15 U.S.C. 68)).

(iv) Section 2 of the Fur Products Labeling Act (15 U.S.C. 69)).

(v) Subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.)).

(vi) The Federal Meat Inspection Act (21 U.S.C. 601 et seq.)).

(vii) The Poultry Products Inspection Act (21 U.S.C. 451 et seq.)).

(viii) Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304).

(C) **EXCLUSIONS.**—

(i) **IN GENERAL.**—In the case of a product regulated by a provision of law (or its implementing regulations) described in clause (v), (vi), or (vii) of subparagraph (B), the disclosure requirements under clauses (i) and (ii) of subparagraph (A) shall only apply if the

product is required to comply with country of origin labeling requirements under a provision of law (or its implementing regulations) described in clause (v), (vi), or (vii) of subparagraph (B).

(i) **DRUGS.**—The disclosure requirements under clauses (i) and (ii) of subparagraph (A) shall not apply to a pharmaceutical product subject to the jurisdiction of the Food and Drug Administration.

(2) **CERTAIN DRUG PRODUCTS.**—It shall be unlawful for a drug that is not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)) and that is required to be marked under section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) to be offered for sale in commerce to consumers on an internet website unless the internet website description of the drug indicates in a conspicuous place the name and place of business of the manufacturer, packer, or distributor that is required to appear on the label of the drug in accordance with section 502(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(b)).

(3) **OBLIGATION TO PROVIDE.**—A manufacturer, importer, distributor, seller, supplier, or private labeler seeking to have a product introduced, sold, advertised, or offered for sale in commerce shall provide the information identified clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, to the relevant retailer or internet website marketplace.

(4) **SAFE HARBOR.**—A retailer or internet website marketplace satisfies the disclosure requirements under clauses (i) and (ii) of paragraph (1)(A) or paragraph (2), as applicable, if the disclosure includes the country of origin and seller information provided by a third-party manufacturer, importer, distributor, seller, supplier, or private labeler of the product.

(b) **PROHIBITION ON FALSE AND MISLEADING REPRESENTATION OF UNITED STATES ORIGIN ON PRODUCTS.**—

(1) **UNLAWFUL ACTIVITY.**—Notwithstanding any other provision of law, and except as provided for in paragraph (2), it shall be unlawful to make any false or deceptive representation that a product or its parts or processing are of United States origin in any labeling, advertising, or other promotional materials, or any other form of marketing, including marketing through digital or electronic means in the United States.

(2) **DECEPTIVE REPRESENTATION.**—For purposes of paragraph (1), a representation that a product is in whole, or in part, of United States origin is deceptive if, at the time the representation is made, such claim is not consistent with section 5 of the Federal Trade Commission Act (15 U.S.C. 45(a)) and any regulations promulgated by the Commission pursuant to section 320933 of the Violent Crime Control and Law Enforcement Act of 1994 (15 U.S.C. 45a), provided that no other Federal statute or regulation applies.

(3) **LIMITATION OF LIABILITY.**—A retailer or internet website marketplace is not in violation of this subsection if a third-party manufacturer, distributor, seller, supplier, or private labeler provided the retailer or internet website marketplace with a false or deceptive representation as to the country of origin of a product or its parts or processing.

(c) **ENFORCEMENT BY COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of subsection (a) or (b) shall be treated as a violation of a rule prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) **POWERS OF THE COMMISSION.**—

(A) **IN GENERAL.**—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable

terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) **PRIVILEGES AND IMMUNITIES.**—Any person that violates subsection (a) or (b) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) as though all applicable terms and provisions of that Act were incorporated and made part of this section.

(C) **AUTHORITY PRESERVED.**—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(3) **INTERAGENCY AGREEMENT.**—Not later than 6 months after the date of enactment of this division, the Commission, the U.S. Customs and Border Protection, and the Department of Agriculture shall—

(A) enter into a Memorandum of Understanding or other appropriate agreement for the purpose of providing consistent implementation of this section; and

(B) publish such agreement to provide public guidance.

(4) **DEFINITION OF COMMISSION.**—In this subsection, the term “Commission” means the Federal Trade Commission.

(d) **EFFECTIVE DATE.**—This section shall take effect 12 months after the date of the publication of the Memorandum of Understanding or agreement under subsection (c)(3).

**SA 2082.** Mr. LUJÁN (for himself, Mrs. CAPITO, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2116, between subsections (e) and (f), insert the following:

(f) **AMOUNTS FOR NEXT GENERATION RADAR AND RADIO ASTRONOMY IMPROVEMENTS AND RELATED ACTIVITIES.**—

(1) **IN GENERAL.**—From the amounts authorized to be appropriated to the Foundation for a fiscal year under this section, \$176,000,000 shall be made available for the period of fiscal years 2022 through 2024 for the design, development, prototyping, or mid-scale upgrades of next generation radar and radio astronomy improvements and related activities under section 14 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-4).

(2) **APPROVAL.**—Nothing in this subsection shall amend the Director’s authority to review and issue awards.

**SA 2083.** Ms. CORTEZ MASTO (for herself, Mr. DURBIN, Mr. MANCHIN, Ms. HASSAN, Mr. GRASSLEY, Ms. ERNST, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science,

research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2214 and insert the following:

**SEC. 2214. CRITICAL MINERALS MINING AND RECYCLING RESEARCH.**

(a) **CRITICAL MINERALS MINING AND RECYCLING RESEARCH AND DEVELOPMENT AT THE FOUNDATION.**—

(1) **IN GENERAL.**—In order to support supply chain resiliency, the Secretary of Energy, in coordination with the Director, shall issue awards, on a competitive basis, to institutions of higher education, National Laboratories, or nonprofit organizations (or consortia of such institutions, Laboratories, or organizations, including consortia that collaborate with private industry) to support basic research that will accelerate innovation to advance critical minerals mining, recycling, and reclamation strategies and technologies for the purpose of making better use of domestic resources and eliminating national reliance on minerals and mineral materials that are subject to supply disruptions.

(2) **USE OF FUNDS.**—Activities funded by an award under this section may include—

(A) advancing mining research and development activities to develop new mapping and mining technologies and techniques, including advanced critical mineral extraction and production, to improve existing or to develop new supply chains of critical minerals, and to yield more efficient, economical, and environmentally benign mining practices;

(B) advancing critical mineral processing research activities to improve separation, alloying, manufacturing, or recycling techniques and technologies that can decrease the energy intensity, waste, potential environmental impact, and costs of those activities;

(C) advancing research and development of critical minerals mining and recycling technologies that take into account the potential end-uses and disposal of critical minerals, in order to improve end-to-end integration of mining and technological applications;

(D) conducting long-term earth observation of reclaimed mine sites, including the study of the evolution of microbial diversity at such sites;

(E) examining the application of artificial intelligence for geological exploration of critical minerals, including what size and diversity of data sets would be required;

(F) examining the application of machine learning for detection and sorting of critical minerals, including what size and diversity of data sets would be required;

(G) conducting detailed isotope studies of critical minerals and the development of more refined geologic models; or

(H) providing training and research opportunities to undergraduate and graduate students to prepare the next generation of mining engineers and researchers.

(b) **CRITICAL MINERALS INTERAGENCY SUBCOMMITTEE.**—

(1) **IN GENERAL.**—In order to support supply chain resiliency, the Critical Minerals Subcommittee of the National Science and Technology Council (referred to in this subsection as the “Subcommittee”) shall coordinate Federal science and technology efforts to ensure secure and reliable supplies of critical minerals to the United States.

(2) **PURPOSES.**—The purposes of the Subcommittee shall be—

(A) to advise and assist the Committee on Homeland and National Security and the National Science and Technology Council on

United States policies, procedures, and plans as it relates to critical minerals, including—

(i) Federal research, development, and deployment efforts to optimize methods for extractions, concentration, separation, and purification of conventional, secondary, and unconventional sources of critical minerals, including research that prioritizes end-to-end integration of mining and recycling techniques and the end-use target for critical minerals;

(ii) efficient use and reuse of critical minerals, including recycling technologies for critical minerals and the reclamation of critical minerals from components such as spent batteries;

(iii) addressing the technology transitions between research or lab-scale mining and recycling and commercialization of these technologies;

(iv) the critical minerals workforce of the United States; and

(v) United States private industry investments in innovation and technology transfer from federally funded science and technology;

(B) to identify emerging opportunities, stimulate international cooperation, and foster the development of secure and reliable supply chains of critical minerals, including activities related to the reuse of critical minerals via recycling;

(C) to ensure the transparency of information and data related to critical minerals; and

(D) to provide recommendations on coordination and collaboration among the research, development, and deployment programs and activities of Federal agencies to promote a secure and reliable supply of critical minerals necessary to maintain national security, economic well-being, and industrial production.

(3) RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee may, taking into account the findings and recommendations of relevant advisory committees—

(A) provide recommendations on how Federal agencies may improve the topographic, geologic, and geophysical mapping of the United States and improve the discoverability, accessibility, and usability of the resulting and existing data, to the extent permitted by law and subject to appropriate limitation for purposes of privacy and security;

(B) assess the progress toward developing critical minerals recycling and reprocessing technologies;

(C) assess the end-to-end lifecycle of critical minerals, including for mining, usage, recycling, and end-use material and technology requirements;

(D) examine options for accessing and developing critical minerals through investment and trade with allies and partners of the United States and provide recommendations;

(E) evaluate and provide recommendations to incentivize the development and use of advances in science and technology in the private industry;

(F) assess the need for and make recommendations to address the challenges the United States critical minerals supply chain workforce faces, including—

(i) aging and retiring personnel and faculty;

(ii) public perceptions about the nature of mining and mineral processing; and

(iii) foreign competition for United States talent;

(G) develop, and update as necessary, a strategic plan to guide Federal programs and activities to enhance—

(i) scientific and technical capabilities across critical mineral supply chains, includ-

ing a roadmap that identifies key research and development needs and coordinates ongoing activities for source diversification, more efficient use, recycling, and substitution for critical minerals; and

(ii) cross-cutting mining science, data science techniques, materials science, manufacturing science and engineering, computational modeling, and environmental health and safety research and development; and

(H) report to the appropriate committees of Congress on activities and findings under this subsection.

(4) MANDATORY RESPONSIBILITIES.—In carrying out paragraphs (1) and (2), the Subcommittee shall, taking into account the findings and recommendations of the relevant advisory committees, identify and evaluate Federal policies and regulations that restrict the mining of critical minerals.

(c) GRANT PROGRAM FOR PROCESSING OF CRITICAL MINERALS AND DEVELOPMENT OF CRITICAL MINERALS AND METALS.—

(1) ESTABLISHMENT.—The Secretary of Energy, in consultation with the Director, the Secretary of the Interior, and the Secretary of Commerce, shall establish a grant program to finance pilot projects for—

(A) the processing or recycling of critical minerals in the United States; or

(B) the development of critical minerals and metals in the United States

(2) LIMITATION ON GRANT AWARDS.—A grant awarded under paragraph (1) may not exceed \$10,000,000.

(3) ECONOMIC VIABILITY.—In awarding grants under paragraph (1), the Secretary of Energy shall give priority to projects that the Secretary of Energy determines are likely to be economically viable over the long term.

(4) SECONDARY RECOVERY.—In awarding grants under paragraph (1), the Secretary of Energy shall seek to award not less than 30 percent of the total amount of grants awarded during the fiscal year for projects relating to secondary recovery of critical minerals and metals.

(5) DOMESTIC PRIORITY.—In awarding grants for the development of critical minerals and metals under paragraph (1)(B), the Secretary of Energy shall prioritize pilot projects that will process the critical minerals and metals domestically.

(6) PROHIBITION ON PROCESSING BY FOREIGN ENTITY OF CONCERN.—In awarding grants under paragraph (1), the Secretary of Energy shall ensure that pilot projects do not export for processing any critical minerals and metals to a foreign entity of concern (as defined in section 2307(a)).

(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Energy \$100,000,000 for each of fiscal years 2021 through 2024 to carry out the grant program established under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—The term “critical mineral” has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(2) CRITICAL MINERALS AND METALS.—The term “critical minerals and metals” includes any host mineral of a critical mineral.

(3) END-TO-END.—The term “end-to-end”, with respect to the integration of mining or life cycle of minerals, means the integrated approach of, or the lifecycle determined by, examining the research and developmental process from the mining of the raw minerals to its processing into useful materials, its integration into components and devices, the utilization of such devices in the end-use application to satisfy certain performance metrics, and the recycling or disposal of such devices.

(4) RECYCLING.—The term “recycling” means the process of collecting and processing spent materials and devices and turning them into raw materials or components that can be reused either partially or completely.

(5) SECONDARY RECOVERY.—The term “secondary recovery” means the recovery of critical minerals and metals from discarded end-use products or from waste products produced during the metal refining and manufacturing process, including from mine waste piles, acid mine drainage sludge, or byproducts produced through legacy mining and metallurgy activities.

**SA 2084.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 1977 submitted by Mr. MERKLEY and intended to be proposed to the amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 3 and all that follows through page 3, line 22, and insert the following:

**SEC. 3219L. SENSE OF CONGRESS ON STANDING WITH AUSTRALIA AGAINST ECONOMIC COERCION.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the alliance between the United States and Australia provides strategic, economic, and cultural value to both nations;

(2) the security and prosperity of each is vital to the future security and prosperity of both nations;

(3) the close, longstanding cooperation between the United States and Australia in strategic and military affairs is built on strong bonds of trust between the two nations and a shared goal of establishing a free, open, secure, prosperous, and resilient Indo-Pacific;

(4) Australia continues to be the target of a concerted campaign of economic coercion by the People's Republic of China aimed at punishing the government and people of one of the United States' closest allies for the exercise of their sovereign, democratic rights;

(5) the People's Republic of China employs similar forms of economic coercion against other countries, not only within the Indo-Pacific but around the world;

(6) such a campaign is an attempt to undermine the sovereignty of Australia and the ability of the Government of Australia to act in concert with the United States toward the shared goal of a free and open Indo-Pacific; and

(7) the routine use of economic coercion by the People's Republic of China against other countries can undermine those countries' ability to speak or act in defense of their own sovereignty, democratic values, and human rights, and is therefore a threat to a free and open global order.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States—

(1) to stand with Australia, providing relevant support to the Government and people of Australia to mitigate the costs of economic coercion by the People's Republic of China to the greatest extent possible;

(2) to work with the Government of Australia and other allies and partners to coordinate collective, cooperative responses to both threatened and actual instances of economic coercion by the People's Republic of China; and

(3) to put in place the appropriate personnel, mechanisms, and collective structures to facilitate the effectiveness of responses to economic coercion.

**SA 2085.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 341, strike line 22 and all that follows through page 342, line 19, and insert the following:

**(1) DETERMINATION RELATED TO CERTAIN OPTICAL TRANSMISSION EQUIPMENT.—**

(1) **PROCEEDING.**—Not later than 45 days after the date of enactment of this division, the Secretary of Commerce shall commence a process to make a determination for purposes of section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601) whether future transactions involving optical transmission equipment that is manufactured, produced, or distributed by an entity owned, controlled, or supported by the People's Republic of China and that is capable of routing or redirecting user data traffic or permitting visibility into any user data or packets that such equipment transmits or handles would pose an unacceptable risk to the national security of the United States or the security and safety of United States persons.

(2) **COMMUNICATION OF DETERMINATION.**—If the Secretary determines pursuant to paragraph (1) that future transactions involving such optical transmission equipment would pose an unacceptable risk consistent with that paragraph, the Secretary shall immediately transmit that determination to the Federal Communications Commission consistent with section 2 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601).

**SA 2086.** Mr. MORAN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, insert the following:

**SEC. \_\_\_\_ . WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.**

(a) **DEFINITIONS.**—In this section:

(1) **EXISTING PROGRAM.**—The term “existing program” means a program, designed to pro-

mote employee ownership and employee participation in business decisionmaking, that exists on the date on which the Secretary is carrying out a responsibility authorized under this section.

(2) **INITIATIVE.**—The term “Initiative” means the Employee Ownership and Participation Initiative established under subsection (b).

(3) **NEW PROGRAM.**—The term “new program” means a program, designed to promote employee ownership and employee participation in business decisionmaking, that does not exist on the date on which the Secretary is carrying out a responsibility authorized under this section.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(5) **STATE.**—The term “State” has the meaning given the term under section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

**(b) EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.—**

(1) **ESTABLISHMENT.**—The Secretary shall establish within the Department of Commerce an Employee Ownership and Participation Initiative to promote employee ownership and employee participation in business decisionmaking.

(2) **FUNCTIONS.**—In carrying out the Initiative, the Secretary shall—

(A) support within the States existing programs designed to promote employee ownership and employee participation in business decisionmaking; and

(B) facilitate within the States the formation of new programs designed to promote employee ownership and employee participation in business decisionmaking.

(3) **DUTIES.**—To carry out the functions enumerated in paragraph (2), the Secretary shall—

(A) support new programs and existing programs by—

(i) making Federal grants authorized under subsection (d); and

(ii) (I) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs; or

(II) funding projects for information gathering on those techniques, and dissemination of that information to the programs, by groups outside the Department of Commerce; and

(B) facilitate the formation of new programs, in ways that include holding or funding an annual conference of representatives from States with existing programs, representatives from States developing new programs, and representatives from States without existing programs.

(c) **PROGRAMS REGARDING EMPLOYEE OWNERSHIP AND PARTICIPATION.—**

(1) **ESTABLISHMENT OF PROGRAM.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to encourage new programs and existing programs within the States to foster employee ownership and employee participation in business decisionmaking throughout the United States.

(2) **PURPOSE OF PROGRAM.**—The purpose of the program established under paragraph (1) is to encourage new and existing programs within the States that focus on—

(A) providing education and outreach to inform employees and employers about the possibilities and benefits of employee ownership, business ownership succession planning, and employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that enable employees to share ideas

and information about how their businesses can succeed;

(B) providing technical assistance to assist employee efforts to become business owners, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employees and employers to start new employee-owned businesses;

(C) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employee input; and

(D) training other entities to apply for funding under this subsection, to establish new programs, and to carry out program activities.

(3) **PROGRAM DETAILS.**—The Secretary may include, in the program established under paragraph (1), provisions that—

(A) in the case of activities described in paragraph (2)(A)—

(i) target key groups, such as retiring business owners, senior managers, unions, trade associations, community organizations, and economic development organizations;

(ii) encourage cooperation in the organization of workshops and conferences; and

(iii) prepare and distribute materials concerning employee ownership and participation, and business ownership succession planning;

(B) in the case of activities described in paragraph (2)(B)—

(i) provide preliminary technical assistance to employee groups, managers, and retiring owners exploring the possibility of employee ownership;

(ii) provide for the performance of preliminary feasibility assessments;

(iii) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(iv) provide a data bank to help employees find legal, financial, and technical advice in connection with business ownership;

(C) in the case of activities described in paragraph (2)(C)—

(i) provide for courses on employee participation; and

(ii) provide for the development and fostering of networks of employee-owned companies to spread the use of successful participation techniques; and

(D) in the case of training described in paragraph (2)(D)—

(i) provide for visits to existing programs by staff from new programs receiving funding under this section; and

(ii) provide materials to be used for such training.

(4) **GUIDANCE.**—The Secretary shall issue formal guidance, for recipients of grants awarded under subsection (d) and one-stop partners (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)) affiliated with the workforce development systems (as so defined) of the States, proposing that programs and other activities funded under this section be—

(A) proactive in encouraging actions and activities that promote employee ownership of, and participation in, businesses; and

(B) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broaden capital ownership.

(d) **GRANTS.—**

(1) **IN GENERAL.**—In carrying out the program established under subsection (c), the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(A) Education and outreach as provided in subsection (c)(2)(A).

(B) Technical assistance as provided in subsection (c)(2)(B).

(C) Training activities for employees and employers as provided in subsection (c)(2)(C).

(D) Activities facilitating cooperation among employee-owned firms.

(E) Training as provided in subsection (c)(2)(D) for new programs provided by participants in existing programs dedicated to the objectives of this section, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this section.

(2) AMOUNTS AND CONDITIONS.—The Secretary shall determine the amount and any conditions for a grant made under this subsection. The amount of the grant shall be subject to paragraph (6), and shall reflect the capacity of the applicant for the grant.

(3) APPLICATIONS.—Each entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(4) STATE APPLICATIONS.—Each State may sponsor and submit an application under paragraph (3) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this section.

(5) APPLICATIONS BY ENTITIES.—

(A) ENTITY APPLICATIONS.—If a State fails to support or establish a program pursuant to this section during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in paragraph (4) from that State to make applications for grants under paragraph (3) on their own initiative.

(B) APPLICATION SCREENING.—Any State failing to support or establish a program pursuant to this section during any fiscal year may submit applications under paragraph (3) in the subsequent fiscal years but may not screen applications by local entities described in paragraph (4) before submitting the applications to the Secretary.

(6) LIMITATIONS.—A recipient of a grant made under this subsection shall not receive, during a fiscal year, in the aggregate, more than the following amounts:

- (A) For fiscal year 2022, \$300,000.
- (B) For fiscal year 2023, \$330,000.
- (C) For fiscal year 2024, \$363,000.
- (D) For fiscal year 2025, \$399,300.
- (E) For fiscal year 2026, \$439,200.

(7) ANNUAL REPORT.—For each year, each recipient of a grant under this subsection shall submit to the Secretary a report describing how grant funds allocated pursuant to this subsection were expended during the 12-month period preceding the date of the submission of the report.

(e) EVALUATIONS.—The Secretary is authorized to reserve not more than 10 percent of the funds appropriated for a fiscal year to carry out this section, for the purposes of conducting evaluations of the grant programs identified in subsection (d) and to provide related technical assistance.

(f) REPORTING.—Not later than the expiration of the 36-month period following the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report—

(1) on progress related to employee ownership and participation in businesses in the United States; and

(2) containing an analysis of critical costs and benefits of activities carried out under this section.

(g) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated for the purpose of making grants pursuant to subsection (d) the following:

- (A) For fiscal year 2022, \$4,000,000.
- (B) For fiscal year 2023, \$7,000,000.
- (C) For fiscal year 2024, \$10,000,000.
- (D) For fiscal year 2025, \$13,000,000.
- (E) For fiscal year 2026, \$16,000,000.

(2) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2022 through 2026, an amount not in excess of the lesser of—

- (A) \$350,000; or
- (B) 5.0 percent of the maximum amount available under paragraph (1) for that fiscal year.

**SA 2087.** Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

**SEC. . AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CONDUCT RESEARCH ON KEY TECHNOLOGY FOCUS AREAS.**

(a) IN GENERAL.—There are authorized to be appropriated for the Defense Advanced Research Projects Agency to conduct research in key technology focus areas amounts as follows:

- (1) \$600,000,000 for fiscal year 2022.
- (2) \$1,200,000,000 for each of fiscal years 2023 through 2026.

(b) SUPPLEMENT, NOT SUPPLANT.—The amounts authorized to be appropriated by subsection (a) shall supplement and not supplant amounts appropriated for the Defense Advanced Research Projects Agency before the date of the enactment of this Act.

**SA 2088.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 966, beginning on line 13, strike “and” and all that follows through line 15 and insert the following:

(F) examining the possibility of reconvening the Arctic Chiefs of Defense Forum;

(G) establishing one or more deep-water ports in the United States Arctic; and

(H) reinstating the Arctic Executive Steering Committee (AESC) as a permanent office in the Executive Office of the President and naming a chair of the Committee

within 90 days of the date of the enactment of this Act.

**SA 2089.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 967, strike line 11 and all that follows through page 972, line 9, and insert the following:

(d) APPOINTMENT.—The President shall appoint, by and with the consent of the Senate, an Ambassador-at-large for Arctic Affairs who shall—

- (1) be responsible for Arctic affairs; and
- (2) report directly to the Secretary of State.

(e) DUTIES.—The Ambassador-at-large for Arctic Affairs shall—

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region relating to—

(A) strengthening institutions for cooperation among the Arctic nations;

(B) enhancing scientific monitoring and research on local, regional, and global environmental issues;

(C) protecting the Arctic environment and conserving its biological resources;

(D) promoting responsible natural resource management and economic development; and

(E) involving Arctic indigenous people in decisions that affect them;

(2) coordinate the diplomatic objectives with respect to the activities described in paragraph (1), and, as appropriate, represent the United States within multilateral fora that address international cooperation and foreign policy matters in the Arctic Region;

(3) help inform, in coordination with the Commandant of the Coast Guard, the Administrator of the Maritime Administration, and the Bureau of Economic and Business Affairs, transnational commerce and commercial maritime transit in the Arctic Region;

(4) coordinate, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere and the Secretary of the Navy, the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region;

(5) make available the methods and approaches on the integration of environmental science and data to other regional security planning programs in the Department of State to better ensure that broader decision making processes may more adequately account for the changing environment;

(6) assist with the development of, and facilitate the implementation of, an Arctic Region Security Policy in accordance with subsection (g);

(7) use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations to support the principles of the Arctic Region Security Policy implemented pursuant to subsection (g);

(8) coordinate Arctic policy with the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of

European and Eurasian Affairs, and other relevant bureaus;

(9) subject to the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations of which the United States is a member; and

(B) multilateral conferences and meetings relating to Arctic affairs;

(10) serve as the principal advisor to the Secretary of State and as the senior advisor to the President regarding matters affecting Arctic affairs;

(11) make recommendations regarding the policies of the United States relating to Arctic affairs;

(12) assist the Bureau of European and Eurasian Affairs with the development and implementation of the Arctic Region Security Policy pursuant to subsection (g); and

(13) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(f) FUNDING.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(g) ARCTIC REGION SECURITY POLICY.—The Bureau of European and Eurasian Affairs shall be the lead bureau for developing and implementing the United States' Arctic Region Security Policy, in coordination with the Ambassador-at-large for Arctic Affairs, the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of Political-Military Affairs, embassies, other regional bureaus, and relevant offices to advance United States national security interests, including through conflict prevention efforts, security assistance, humanitarian disaster response and prevention, and economic and other relevant assistance programs. The Arctic Region Security Policy shall assess, develop, budget for, and implement plans, policies, and actions—

(1) to bolster the diplomatic presence of the United States in Arctic nations, including through enhancements to diplomatic missions and facilities, participation in regional and bilateral dialogues related to Arctic security, and coordination of United States initiatives and assistance programs across agencies to protect the national security of the United States and its allies and partners;

(2) to enhance the resilience capacities of Arctic nations to the effects of environmental change and increased civilian and military activity by Arctic nations and other nations that may result from increased accessibility of the Arctic Region;

(3) to assess specific added risks to the Arctic Region and Arctic nations that—

(A) are vulnerable to the changing Arctic environment; and

(B) are strategically significant to the United States;

(4) to coordinate the integration of environmental change and national security risk and vulnerability assessments into the decision making process on foreign assistance awards to Greenland;

(5) to advance principles of good governance by encouraging and cooperating with Arctic nations on collaborative approaches—

(A) to responsibly manage natural resources in the Arctic Region;

(B) to share the burden of ensuring maritime safety in the Arctic Region;

(C) to prevent the escalation of security tensions by mitigating against the militarization of the Arctic Region;

(D) to develop mutually agreed upon multilateral policies among Arctic nations on the management of maritime transit routes through the Arctic Region and work cooperatively on the transit policies for access to and transit in the Arctic Region by non-Arctic nations; and

(E) to facilitate the development of Arctic Region Security Action Plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

(6) to evaluate the vulnerability, security, survivability, and resiliency of United States interests and non-defense assets in the Arctic Region.

**SA 2090.** Mr. KAINÉ (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I of division F, add the following:

**SEC. 6125. ELIMINATING SHORT-TERM EDUCATION LOAN PROGRAMS; JOB TRAINING FEDERAL PELL GRANTS; TECHNICAL CORRECTIONS.**

(a) ELIMINATING SHORT-TERM EDUCATION LOAN PROGRAMS.—Section 481(b) of the Higher Education Act of 1965 (20 U.S.C. 1088(b)) is amended by adding at the end the following:

“(5) The Secretary shall eliminate the short-term education loan program, as authorized under paragraph (2), on the date that is 120 days after the date the Secretary establishes the application for Job Training Federal Pell Grants under section 401(k).”

(b) TECHNICAL CORRECTIONS.—Section 481(d) of the Higher Education Act of 1965 (20 U.S.C. 1088(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking “under section 12301(a), 12301(g), 12302, 12304, or 12306 of title 10, United States Code, or any retired member of an Armed Force ordered to active duty under section 688 of such title,” and inserting “, or any retired member of an Armed Force ordered to active duty.”; and

(B) in subparagraph (B), by striking “an Armed Force” and inserting “a Uniformed Service”; and

(2) in paragraph (5), by striking “and supported by Federal funds”.

(c) CURRENT ENACTMENT OF JOB TRAINING FEDERAL PELL GRANT PROGRAM.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) is amended by adding at the end the following:

“(k) JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act.

“(B) ELIGIBLE JOB TRAINING PROGRAM.—

“(i) IN GENERAL.—The term ‘eligible job training program’ means a career and technical education program at an eligible institution of higher education that—

“(I) provides not less than 150, and not more than 600, clock hours of instructional time over a period of not less than 8 weeks and not more than 15 weeks;

“(II) provides training aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations in the State or local area in which the job training program is provided, as determined by—

“(aa) a State board or local board;

“(bb) a State plan, as described in section 122(d)(13)(C) of the Carl D. Perkins Career and Technical Education Act of 2006; or

“(cc) a comprehensive local needs assessment, as described in section 134(c) of the Carl D. Perkins Career and Technical Education Act of 2006;

“(III) is a program—

“(aa) provided through an eligible training provider, as described under section 122(d) of the Workforce Innovation and Opportunity Act; and

“(bb) subject to the reporting requirements of section 116(d)(4) of the Workforce Innovation and Opportunity Act, or would be subject to such requirements except for a waiver issued to a State under section 189(i) of the Workforce Innovation and Opportunity Act;

“(IV) provides a student, upon completion of the program, with a degree or recognized postsecondary credential that is stackable and portable across multiple employers and geographical areas;

“(V) has demonstrated that students who complete the program receive a median increase of 20 percent of the total earnings of students who complete the program, in accordance with paragraph (2);

“(VI) publishes prominently on the website of the institution, and provides a written disclosure to each prospective student prior to entering into an enrollment agreement for such program (which each such student shall confirm receiving through a written affirmation prior to entering such enrollment agreement) containing, at a minimum, the following information calculated, as applicable, in accordance with paragraph (8)—

“(aa) the required tuition and fees of the program;

“(bb) the difference between required tuition and fees described in item (aa) and any grant aid (which does not need to be repaid) provided to the student;

“(cc) the completion rate of the program;

“(dd) the percentage of students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

“(ee) total earnings of students who complete the program not less than 6 months after completion of the program;

“(ff) total earnings of students who do not complete the program;

“(gg) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program described in item (ee);

“(hh) an explanation, in clear and plain language, of the ratio described in item (gg); and

“(ii) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

“(VII) has been determined by the eligible institution of higher education (after validation of that determination by an industry or sector partnership or State board or local board) to provide academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that the student who completes the program and seeks employment is qualified to take any licensure or certification examination needed to practice

or find employment in such sectors or occupations that the program prepares students to enter;

“(VIII) has been in operation for not less than 1 year prior to becoming an eligible job training program under this subsection;

“(IX) does not exceed by more than 50 percent the minimum number of clock hours required by a State to receive a professional license or certification in the State, if the State has established such a requirement;

“(X) includes institutional credit articulation for a student enrolled in a noncredit job training program;

“(XI) is not offered exclusively through distance education or a correspondence course, except as determined by the Secretary to be necessary, on a temporary basis, in connection with a—

“(aa) major disaster or emergency declared by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191); or

“(bb) national emergency declared by the President under section 201 of the National Emergencies Act (50 U.S.C. 1601 et seq.);

“(XII) is provided not less than 50 percent directly by the eligible institution of higher education;

“(XIII) may include integrated education and training; and

“(XIV) may be offered as part of a program that—

“(aa) meets the requirements of section 484(d)(2);

“(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

“(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

“(ii) APPROVAL BY THE SECRETARY.—

“(I) IN GENERAL.—In the case of a program that is seeking to establish initial eligibility as an eligible job training program under this subparagraph, the Secretary shall make a determination whether the program meets the requirements of this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this paragraph, the Secretary shall grant an initial period of approval of 2 years. The Secretary shall enable institutions to apply for eligible job training program approval not later than 1 year after the date of enactment of the United States Innovation and Competition Act of 2021.

“(II) PUBLICATION OF APPLICATION.—Not later than 1 year after date of enactment of the United States Innovation and Competition Act of 2021, the Secretary shall publish the application for job training programs to submit for approval as eligible job training programs. The information required to determine eligibility in such application shall be consistent with the requirements described in this subparagraph.

“(iii) RENEWAL OF APPROVAL BY THE SECRETARY.—An eligible job training program that desires to continue eligibility as an eligible job training program after the period of initial approval described in clause (ii), or the subsequent period described in this clause, shall submit a renewal application to the Secretary (with such information as the Secretary may require), not more than 270 days and not less than 180 days before the end of the previous approval period. If the Secretary determines the program meets such requirements, the Secretary shall grant another period of approval for 3 years.

“(iv) PERIODIC REVIEW BY THE SECRETARY.—The Secretary shall periodically review a program previously approved under clause (ii) or (iii) to determine whether such pro-

gram is meeting the requirements of an eligible job training program described in this subsection.

“(v) REVOCATION OF APPROVAL BY THE SECRETARY.—If at any time the Secretary determines that a program previously approved under clause (ii) or (iii) is no longer meeting any of the requirements of an eligible job training program described in this subsection, the Secretary—

“(I) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

“(II) may withdraw approval for such program before the expiration of the approval period;

“(III) shall ensure students who enrolled in such programs have access to transcripts for completed coursework without a fee or monetary charge and without regard to any balance owed to the institution; and

“(IV) shall prohibit such program and any substantially similar program, from being considered an eligible job training described in this subsection for a period of not less than 5 years.

“(vi) ADDITIONAL ASSURANCE BY STATE BOARD.—The Secretary shall not determine that a program is an eligible job training program in accordance with clause (ii) unless the Secretary receives a certification from the State board representing the State in which the eligible job training program is provided, containing an assurance that the program meets the requirements of clause (i).

“(C) TOTAL EARNINGS.—For the purposes of this subsection, the term ‘total earnings’ means the median annual earnings.

“(D) ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—For the purposes of this subsection, the term ‘eligible institution of higher education’ means—

“(i) an institution of higher education, as defined in section 101;

“(ii) a postsecondary vocational institution, as defined in section 102(c); and

“(iii) an institution of higher education—

“(I) approved by an accrediting agency or association that meets the requirements of section 496(a)(4)(C);

“(II) that has not been a proprietary institution of higher education, as defined in section 102(b), within the previous 3 years; and

“(III) that has not been subject, during any of the preceding 5 years, to—

“(aa) any suspension, emergency action, or termination of programs under this title;

“(bb) any adverse action by the institution’s accrediting agency or association; or

“(cc) any action by the State to revoke a license or other authority to operate.

“(E) INSTITUTIONAL CREDIT ARTICULATION.—The term ‘institutional credit articulation’ means the situation where an institution of higher education provides a student who has completed a noncredit program with the equivalent academic credit that may be applied to a subsequent credit-bearing certificate or degree program upon enrollment in such program at such institution.

“(F) WIOA DEFINITIONS.—The terms ‘industry or sector partnership’, ‘in-demand industry sector or occupation’, ‘recognized postsecondary credential’, ‘local board’, and ‘State board’ have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act.

“(2) TOTAL EARNINGS INCREASE REQUIREMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), as a condition of participation under this subsection, the Secretary shall, using the data collected under paragraph (8) and such other information as the Secretary may require, determine whether such job training program meets the requirements of para-

graph (1)(B)(i)(V) with respect to whether the students who complete the program receive a median increase of 20 percent of such students’ total earnings. For the purposes of this paragraph, the Secretary shall determine such percentage increase by calculating the difference between the total earnings of students who enroll in such programs not more than 6 months prior to enrollment, and the earnings of students who complete such program not more than 6 months after completing such program.

“(B) DATE OF EFFECT.—The requirement under this paragraph shall take effect beginning on the date that is 1 year after the date the program has been approved as an eligible job training program under this subsection.

“(3) APPEAL OF EARNINGS INFORMATION.—The Secretary’s determination under paragraph (2) may include an appeals process to permit job training programs to submit alternate discretionary or total earnings data, respectively, provided that such data are statistically rigorous, accurate, comparable, and representative of students who complete the program.

“(4) AUTHORIZATION OF AWARDS.—The Secretary shall award Federal Pell Grants to students in eligible job training programs (referred to as a ‘job training Federal Pell Grant’). Each eligible job training Federal Pell Grant awarded under this subsection shall have the same terms and conditions, and be awarded in the same manner, as other Federal Pell Grants awarded under subsection (b), except a student who is eligible to receive a job training Federal Pell Grant under this subsection is a student who—

“(A) has not yet attained a postbaccalaureate degree;

“(B) is enrolled, or accepted for enrollment, in an eligible job training program at an eligible institution of higher education; and

“(C) meets all other eligibility requirements for a Federal Pell Grant (except with respect to the type of program of study, as provided in subparagraph (B)).

“(5) AMOUNT OF AWARD.—The amount of a job training Federal Pell Grant for an eligible student shall be determined under subsection (b), except that a student who is eligible for less than the minimum Federal Pell Grant because the eligible job training program is less than an academic year (in clock-hours and weeks of instructional time) may still be eligible for a Federal Pell Grant.

“(6) INCLUSION IN TOTAL ELIGIBILITY PERIOD.—Any period during which a student receives a job training Federal Pell Grant under this subsection shall be included in calculating the student’s period of eligibility for Federal Pell Grants under subsection (d), and the eligibility requirements regarding students who are enrolled in an undergraduate program on less than a full-time basis shall similarly apply to students who are enrolled in an eligible job training program at an eligible institution of higher education on less than a full-time basis.

“(7) SAME PAYMENT PERIOD.—No student may for the same payment period receive both a job training Federal Pell Grant under this subsection and a Federal Pell Grant under this section.

“(8) INTERAGENCY DATA SHARING AND DATA COLLECTION.—

“(A) INTERAGENCY DATA SHARING.—The Secretary shall coordinate and enter into a data sharing agreement with the Secretary of Labor to ensure access to data necessary to implement this paragraph, including such data related to indicators of performance collected under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141).

“(B) DATA ON ELIGIBLE JOB TRAINING PROGRAMS.—Except as provided under subparagraph (C), each institution of higher education offering an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, the Secretary shall, on at least an annual basis, collect and publish data with respect to each such eligible job training program, including the following:

“(i) The number and demographics of students who enroll in the program, including, at a minimum, disaggregated by—

“(I) sex;

“(II) race and ethnicity;

“(III) classification as a student with a disability;

“(IV) income quintile, as defined by the Secretary;

“(V) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code (or other authorities available to the Department of Defense), or status as a veteran;

“(VI) status as a first-time student or transfer student from another institution;

“(VII) status as a first-generation student;

“(VIII) status as parent or guardian of 1 or more dependent children; and

“(IX) status as a confined or incarcerated individual, as defined under section 484(t)(1)(A).

“(ii) The number and demographics, disaggregated by the categories listed in clause (i), including, at a minimum, of—

“(I) students who complete the program; and

“(II) students who do not complete the program.

“(iii) The required tuition and fees of the program.

“(iv) The earnings of students, disaggregated by the categories listed in clause (i), including, at a minimum—

“(I) total earnings of students who complete the program; and

“(II) total earnings of students who do not complete the program.

“(v) Additional outcomes of the students who complete the program, disaggregated by the categories listed in clause (i), including, at a minimum—

“(I) the completion rate of such students;

“(II) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

“(III) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

“(IV) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

“(V) the share of such students who transfer to another institution of higher education within 1 year; and

“(VI) the share of such students who complete a subsequent certificate or degree program within 6 years.

“(C) EXCEPTIONS.—Notwithstanding any other provision of this paragraph—

“(i) if disclosure of disaggregated data under subparagraph (B) is prohibited by disclosure due to applicable privacy restrictions, the Secretary may take such steps as the Secretary determines necessary to provide meaningful disaggregated student demographic or outcome information, including by combining categories; and

“(ii) an institution may submit, and the Secretary may publish, data required to be collected under subparagraph (B) that is obtained through a State Unemployment Insurance Agency or through other supplemental means, in lieu of any additional data

collection, provided that such data are statistically rigorous, accurate, comparable, and representative.

“(D) REPORT.—Not later than July 1, 2025, the Secretary shall—

“(i) 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 on the impact of an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, based on the most recent data collected under subparagraph (B); and

“(ii) make the report described in clause (i) available publicly on the website of the Department.”.

(d) FUTURE ENACTMENT OF JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

(1) IN GENERAL.—Section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a), as amended by section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116-260), is further amended by adding at the end the following:

“(k) JOB TRAINING FEDERAL PELL GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) CAREER AND TECHNICAL EDUCATION.—The term ‘career and technical education’ has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act.

“(B) ELIGIBLE JOB TRAINING PROGRAM.—

“(i) IN GENERAL.—The term ‘eligible job training program’ means a career and technical education program at an eligible institution of higher education that—

“(I) provides not less than 150, and not more than 600, clock hours of instructional time over a period of not less than 8 weeks and not more than 15 weeks;

“(II) provides training aligned with the requirements of high-skill, high-wage, or in-demand industry sectors or occupations in the State or local area in which the job training program is provided, as determined by—

“(aa) a State board or local board;

“(bb) a State plan, as described in section 122(d)(13)(C) of the Carl D. Perkins Career and Technical Education Act of 2006; or

“(cc) a comprehensive local needs assessment, as described in section 134(c) of the Carl D. Perkins Career and Technical Education Act of 2006;

“(III) is a program—

“(aa) provided through an eligible training provider, as described under section 122(d) of the Workforce Innovation and Opportunity Act; and

“(bb) subject to the reporting requirements of section 116(d)(4) of the Workforce Innovation and Opportunity Act, or would be subject to such requirements except for a waiver issued to a State under section 189(i) of the Workforce Innovation and Opportunity Act;

“(IV) provides a student, upon completion of the program, with a degree or recognized postsecondary credential that is stackable and portable across multiple employers and geographical areas;

“(V) has demonstrated that students who complete the program receive a median increase of 20 percent of the total earnings of students who complete the program, in accordance with paragraph (2);

“(VI) publishes prominently on the website of the institution, and provides a written disclosure to each prospective student prior to entering into an enrollment agreement for such program (which each such student shall confirm receiving through a written affirmation prior to entering such enrollment agreement) containing, at a minimum, the following information calculated, as applicable, in accordance with paragraph (8)—

“(aa) the required tuition and fees of the program;

“(bb) the difference between required tuition and fees described in item (aa) and any grant aid (which does not need to be repaid) provided to the student;

“(cc) the completion rate of the program;

“(dd) the percentage of students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

“(ee) total earnings of students who complete the program not less than 6 months after completion of the program;

“(ff) total earnings of students who do not complete the program;

“(gg) the ratio of the amount that is the difference between required tuition and fees and any grant aid provided to the student described in item (bb) to the total earnings of students who complete the program not less than 6 months after completion of the program described in item (ee);

“(hh) an explanation, in clear and plain language, of the ratio described in item (gg); and

“(ii) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

“(VII) has been determined by the eligible institution of higher education (after validation of that determination by an industry or sector partnership or State board or local board) to provide academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that the student who completes the program and seeks employment is qualified to take any licensure or certification examination needed to practice or find employment in such sectors or occupations that the program prepares students to enter;

“(VIII) has been in operation for not less than 1 year prior to becoming an eligible job training program under this subsection;

“(IX) does not exceed by more than 50 percent the minimum number of clock hours required by a State to receive a professional license or certification in the State, if the State has established such a requirement;

“(X) includes institutional credit articulation for a student enrolled in a noncredit job training program;

“(XI) is not offered exclusively through distance education or a correspondence course, except as determined by the Secretary to be necessary, on a temporary basis, in connection with a—

“(aa) major disaster or emergency declared by the President under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191); or

“(bb) national emergency declared by the President under section 201 of the National Emergencies Act (50 U.S.C. 1601 et seq.);

“(XII) is provided not less than 50 percent directly by the eligible institution of higher education;

“(XIII) may include integrated education and training; and

“(XIV) may be offered as part of a program that—

“(aa) meets the requirements of section 484(d)(2);

“(bb) is part of a career pathway, as defined in section 3 of the Workforce Innovation and Opportunity Act; and

“(cc) is aligned to a program of study, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

“(ii) APPROVAL BY THE SECRETARY.—

“(I) IN GENERAL.—In the case of a program that is seeking to establish initial eligibility as an eligible job training program under this subparagraph, the Secretary shall make a determination whether the program meets



the requirements of this subparagraph not more than 120 days after the date on which such program is submitted for consideration as an eligible job training program. If the Secretary determines the program meets the requirements of this paragraph, the Secretary shall grant an initial period of approval of 2 years. The Secretary shall enable institutions to apply for eligible job training program approval not later than 1 year after the date of enactment of the United States Innovation and Competition Act of 2021.

“(II) PUBLICATION OF APPLICATION.—Not later than 1 year after date of enactment of the United States Innovation and Competition Act of 2021, the Secretary shall publish the application for job training programs to submit for approval as eligible job training programs. The information required to determine eligibility in such application shall be consistent with the requirements described in this subparagraph.

“(iii) RENEWAL OF APPROVAL BY THE SECRETARY.—An eligible job training program that desires to continue eligibility as an eligible job training program after the period of initial approval described in clause (ii), or the subsequent period described in this clause, shall submit a renewal application to the Secretary (with such information as the Secretary may require), not more than 270 days and not less than 180 days before the end of the previous approval period. If the Secretary determines the program meets such requirements, the Secretary shall grant another period of approval for 3 years.

“(iv) PERIODIC REVIEW BY THE SECRETARY.—The Secretary shall periodically review a program previously approved under clause (ii) or (iii) to determine whether such program is meeting the requirements of an eligible job training program described in this subsection.

“(v) REVOCATION OF APPROVAL BY THE SECRETARY.—If at any time the Secretary determines that a program previously approved under clause (ii) or (iii) is no longer meeting any of the requirements of an eligible job training program described in this subsection, the Secretary—

“(I) shall deny a subsequent renewal of approval in accordance with clause (iii) for such program after the expiration of the approval period;

“(II) may withdraw approval for such program before the expiration of the approval period;

“(III) shall ensure students who enrolled in such programs have access to transcripts for completed coursework without a fee or monetary charge and without regard to any balance owed to the institution; and

“(IV) shall prohibit such program and any substantially similar program, from being considered an eligible job training described in this subsection for a period of not less than 5 years.

“(vi) ADDITIONAL ASSURANCE BY STATE BOARD.—The Secretary shall not determine that a program is an eligible job training program in accordance with clause (ii) unless the Secretary receives a certification from the State board representing the State in which the eligible job training program is provided, containing an assurance that the program meets the requirements of clause (i).

“(C) TOTAL EARNINGS.—For the purposes of this subsection, the term ‘total earnings’ means the median annual earnings.

“(D) ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—For the purposes of this subsection, the term ‘eligible institution of higher education’ means—

“(i) an institution of higher education, as defined in section 101;

“(ii) a postsecondary vocational institution, as defined in section 102(c); and

“(iii) an institution of higher education—

“(I) approved by an accrediting agency or association that meets the requirements of section 496(a)(4)(C);

“(II) that has not been a proprietary institution of higher education, as defined in section 102(b), within the previous 3 years; and

“(III) that has not been subject, during any of the preceding 5 years, to—

“(aa) any suspension, emergency action, or termination of programs under this title;

“(bb) any adverse action by the institution’s accrediting agency or association; or

“(cc) any action by the State to revoke a license or other authority to operate.

“(E) INSTITUTIONAL CREDIT ARTICULATION.—The term ‘institutional credit articulation’ means the situation where an institution of higher education provides a student who has completed a noncredit program with the equivalent academic credit that may be applied to a subsequent credit-bearing certificate or degree program upon enrollment in such program at such institution.

“(F) WIOA DEFINITIONS.—The terms ‘industry or sector partnership’, ‘in-demand industry sector or occupation’, ‘recognized postsecondary credential’, ‘local board’, and ‘State board’ have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act.

“(2) TOTAL EARNINGS INCREASE REQUIREMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), as a condition of participation under this subsection, the Secretary shall, using the data collected under paragraph (8) and such other information as the Secretary may require, determine whether such job training program meets the requirements of paragraph (1)(B)(i)(V) with respect to whether the students who complete the program receive a median increase of 20 percent of such students’ total earnings. For the purposes of this paragraph, the Secretary shall determine such percentage increase by calculating the difference between the total earnings of students who enroll in such programs not more than 6 months prior to enrollment, and the earnings of students who complete such program not more than 6 months after completing such program.

“(B) DATE OF EFFECT.—The requirement under this paragraph shall take effect beginning on the date that is 1 year after the date the program has been approved as an eligible job training program under this subsection.

“(3) APPEAL OF EARNINGS INFORMATION.—The Secretary’s determination under paragraph (2) may include an appeals process to permit job training programs to submit alternate discretionary or total earnings data, respectively, provided that such data are statistically rigorous, accurate, comparable, and representative of students who complete the program.

“(4) AUTHORIZATION OF AWARDS.—The Secretary shall award Federal Pell Grants to students in eligible job training programs (referred to as a ‘job training Federal Pell Grant’). Each eligible job training Federal Pell Grant awarded under this subsection shall have the same terms and conditions, and be awarded in the same manner, as other Federal Pell Grants awarded under subsection (b), except a student who is eligible to receive a job training Federal Pell Grant under this subsection is a student who—

“(A) has not yet attained a postbaccalaureate degree;

“(B) is enrolled, or accepted for enrollment, in an eligible job training program at an eligible institution of higher education; and

“(C) meets all other eligibility requirements for a Federal Pell Grant (except with respect to the type of program of study, as provided in subparagraph (B)).

“(5) AMOUNT OF AWARD.—The amount of a job training Federal Pell Grant for an eligible student shall be determined under subsection (b), except that a student who is eligible for less than the minimum Federal Pell Grant because the eligible job training program is less than an academic year (in clock-hours and weeks of instructional time) may still be eligible for a Federal Pell Grant.

“(6) INCLUSION IN TOTAL ELIGIBILITY PERIOD.—Any period during which a student receives a job training Federal Pell Grant under this subsection shall be included in calculating the student’s period of eligibility for Federal Pell Grants under subsection (d), and the eligibility requirements regarding students who are enrolled in an undergraduate program on less than a full-time basis shall similarly apply to students who are enrolled in an eligible job training program at an eligible institution of higher education on less than a full-time basis.

“(7) SAME PAYMENT PERIOD.—No student may for the same payment period receive both a job training Federal Pell Grant under this subsection and a Federal Pell Grant under this section.

“(8) INTERAGENCY DATA SHARING AND DATA COLLECTION.—

“(A) INTERAGENCY DATA SHARING.—The Secretary shall coordinate and enter into a data sharing agreement with the Secretary of Labor to ensure access to data necessary to implement this paragraph, including such data related to indicators of performance collected under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141).

“(B) DATA ON ELIGIBLE JOB TRAINING PROGRAMS.—Except as provided under subparagraph (C), each institution of higher education offering an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, the Secretary shall, on at least an annual basis, collect and publish data with respect to each such eligible job training program, including the following:

“(i) The number and demographics of students who enroll in the program, including, at a minimum, disaggregated by—

“(I) sex;

“(II) race and ethnicity;

“(III) classification as a student with a disability;

“(IV) income quintile, as defined by the Secretary;

“(V) recipients of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code (or other authorities available to the Department of Defense), or status as a veteran;

“(VI) status as a first-time student or transfer student from another institution;

“(VII) status as a first-generation student;

“(VIII) status as parent or guardian of 1 or more dependent children; and

“(IX) status as a confined or incarcerated individual, as defined under section 484(t)(1)(A).

“(ii) The number and demographics, disaggregated by the categories listed in clause (i), including, at a minimum, of—

“(I) students who complete the program; and

“(II) students who do not complete the program.

“(iii) The required tuition and fees of the program.

“(iv) The earnings of students, disaggregated by the categories listed in clause (i), including, at a minimum—

“(I) total earnings of students who complete the program; and

“(II) total earnings of students who do not complete the program.

“(v) Additional outcomes of the students who complete the program, disaggregated by the categories listed in clause (i), including, at a minimum—

“(I) the completion rate of such students;“(II) the percentage of such students placed or retained in employment, measured at not less than 6 months and 1 year, respectively, after completion of the program;

“(III) in the case of a job training program that prepares students for a professional license or certification exam, the share of such students who pass such exams;

“(IV) the share of such students who continue enrollment at the institution of higher education offering the program within 1 year;

“(V) the share of such students who transfer to another institution of higher education within 1 year; and

“(VI) the share of such students who complete a subsequent certificate or degree program within 6 years.

“(C) EXCEPTIONS.—Notwithstanding any other provision of this paragraph—

“(i) if disclosure of disaggregated data under subparagraph (B) is prohibited from disclosure due to applicable privacy restrictions, the Secretary may take such steps as the Secretary determines necessary to provide meaningful disaggregated student demographic or outcome information, including by combining categories; and

“(ii) an institution may submit, and the Secretary may publish, data required to be collected under subparagraph (B) that is obtained through a State Unemployment Insurance Agency or through other supplemental means, in lieu of any additional data collection, provided that such data are statistically rigorous, accurate, comparable, and representative.

“(D) REPORT.—Not later than July 1, 2025, the Secretary shall—

“(i) 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 on the impact of an eligible job training program for which the Secretary awards job training Federal Pell Grants under this subsection, based on the most recent data collected under subparagraph (B); and

“(ii) make the report described in clause (i) available publicly on the website of the Department.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116-260).

(e) WORKFORCE INNOVATION AND OPPORTUNITY ACT AMENDMENT.—Section 116(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(i)) is amended by adding at the end the following:

“(4) INTERAGENCY DATA SHARING FOR JOB TRAINING FEDERAL PELL GRANT PROGRAM.—The Secretary of Labor shall coordinate and enter into a data sharing agreement with the Secretary of Education to ensure access to data necessary to implement section 401(k) of the Higher Education Act of 1965 (20 U.S.C. 1070a(k)), as added by section 6125 of the United States Innovation and Competition Act of 2021, including such applicable data related to unemployment insurance, wage information, employment-related outcomes, and indicators of performance collected under this section.”.

(f) ACCREDITING AGENCY RECOGNITION OF ELIGIBLE JOB TRAINING PROGRAMS.—Section 496(a)(4) of the Higher Education Act of 1965 (20 U.S.C. 1099b(a)(4)) is amended—

(1) in subparagraph (A), by striking “and” after the semicolon;

(2) in subparagraph (B)(ii), by inserting “and” after the semicolon; and

(3) by adding at the end the following:

“(C) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions of higher education participating in the job training Federal Pell Grant program under section 401(k), such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that, with respect to such eligible job training programs (as defined in that subsection)—

“(i) the agency or association’s standards include a process for determining if the institution has the capability to effectively offer an eligible job training program; and

“(ii) the agency or association requires a demonstration that the program—

“(I) has identified each recognized postsecondary credential offered in the relevant industry in the State or local area where the industry is located; and

“(II) provides academic content, an amount of instructional time, and competencies to satisfy any applicable educational requirement for professional licensure or certification, so that a student who completes the program and seeks employment is qualified to take any licensure or certification examination needed to practice or find employment in the sectors or occupations that the program prepares students to enter.”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 10 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 BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 9:45 a.m., to conduct a hearing nominations and pending legislation.

#### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 2:30 p.m., to conduct a hearing on nominations.

#### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 2:30 p.m., to conduct a hearing.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 10 a.m., to conduct a hearing on nominations.

#### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 1:30 p.m., to conduct a hearing.

#### COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 10 a.m., to conduct a hearing on nominations and pending legislation.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 2:30 p.m., to conduct a closed hearing.

#### SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 4:30 p.m., to conduct a hearing.

#### SUBCOMMITTEE ON NATIONAL PARKS

The Subcommittee on National Parks of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, May 26, 2021, at 10 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Ms. ERNST. Mr. President, I ask unanimous consent that Stephen Voline, a legislative defense fellow in my office, be granted floor privileges for the remainder of the day.

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

Mr. BROWN. Mr. President, I ask unanimous consent that Megan Malara, a legislative fellow in my office, be granted floor privileges for the remainder of the 117th Congress.

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

#### ORDERS FOR THURSDAY, MAY 27, 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, May 27; 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 upon the conclusion of morning business, the Senate resume consideration of Calendar No. 58, S. 1260.

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

Mr. SCHUMER. Madam President, let me just say that we are making very good progress. We had a whole bunch of amendments again tonight. We have had more amendments on this bill than on any bill I can recall in a very long