

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Most Holy Lord, we stand in the need of prayer. Too often we claim to be without sin, though our sin is ever before us, and so we pray: Forgive us our debt to Your marvelous mercy in our lives, to the bounty of grace You have shown us that we could never repay. Pardon us and help us to receive Your unmerited favor with contrite hearts and humble spirits.

Forgive us our trespasses, the way we overstep the boundaries You, in Your love for us, have established to protect us from the dangers our own choices could bring upon us. Bring us back from the consequences of our own decisions and receive us into Your parental embrace.

Forgive us our sins, the countless ways we have offended You, even as we have offended one another. Forgive us the many times we have separated ourselves from Your love, even as we have failed to show Your love to those around us.

Have mercy on us, O God, according to Your unfailing love. According to Your compassion, blot out our transgressions. Wash away all our iniquity, and cleanse us from our sin.

In your merciful name, we pray.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House the approval thereof.

Pursuant to clause 1 of rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. LATIMER) come forward and lead the House in the Pledge of Allegiance.

Mr. LATIMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNIZING BRUCE FRANKEL

(Mr. LATIMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATIMER. Madam Speaker, I rise today to recognize Bruce Frankel, a longtime youth baseball coach and active member of his community in Larchmont, as he celebrates his 73rd birthday this month.

Bruce has been deeply involved in the village he has called home for more than two decades. He currently serves on the village's zoning board, co-chairs the Larchmont Traffic Commission, and is an active member of the Larchmont Temple.

He is best known by Larchmont families for his time coaching in the

Larchmont-Mamaroneck Little League and the town's travel baseball program.

Through this program, he has taught hundreds of kids not only the fundamentals of baseball but also the values of hard work, determination, adaptability, and perseverance.

Mr. Speaker, from the floor of the House of Representatives, I wish a happy birthday to Bruce Frankel and thank him for all he has done for our community.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. VALADAO) at 3 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6644. An act to increase the supply of housing in America, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 327. An act to amend the Internal Revenue Code of 1986 to deny any foreign tax credit or deduction with respect to taxes paid or accrued to the Russian Federation.

S. 836. An act to amend the Children's Online Privacy Protection Act of 1998 to Strengthen protections relating to the online collection, use, and disclosure of personal information of children and teens, and for other purposes.

S. 2074. An act to amend the Fair Credit Reporting Act to expand the definition of an active duty military consumer for purposes of certain credit monitoring requirements, and for other purposes.

The message also announced that pursuant to Public Law 118-49, the Chair, on behalf of the Majority Leader, and in consultation with the Chairman of the Select Committee on Intelligence of the Senate and the Chairman of the Committee on the Judiciary of the Senate, appoints the following individuals to serve as members of the Foreign Intelligence Surveillance Act (FISA) Reform Commission:

The Senator from North Carolina (Mr. BUDD).

John Demers of Virginia.
Stewart Baker of Virginia.

The message also announced that pursuant to 10 U.S.C. 9355(a), as amended by Public Law 118-159, the Chair, on behalf of the Democratic Leader, appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy:

The Senator from Delaware (Mr. COONS).

The Senator from Nevada (Ms. ROSEN).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

SMALL BUSINESS INNOVATION AND ECONOMIC SECURITY ACT

Ms. VAN DUYNE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3971) to extend the SBIR and STTR programs, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

S. 3971

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Innovation and Economic Security Act".

SEC. 2. BOLSTERING RESEARCH SECURITY OF SBIR AND STTR AWARDS.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

(A) by redesignating paragraphs (15), (16), and (17) as paragraphs (16), (18), and (19), respectively;

(B) by inserting after paragraph (14) the following:

"(15) evaluate whether a small business concern presents a security risk for any reason, through measures including—

"(A) the due diligence process required under subsection (vv);

"(B) disclosures submitted under this subsection; or

"(C) coordination with the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), Federal law enforcement, and other counterintelligence capabilities of the Federal Government;"

(C) in paragraph (16), as so redesignated—

(i) by striking subparagraph (B);

(ii) by striking "that—" and all that follows through "the small business concern submitting" and inserting "that the small business concern submitting";

(iii) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(iv) in subparagraph (B), as so redesignated, by striking "or" at the end;

(v) in subparagraph (C), as so redesignated, by striking "and" at the end; and

(vi) by adding at the end the following:

"(D) has a security risk connecting the small business concern to an entity, including any affiliates of the entity, or individual on—

"(i) the UFLPA Entity List maintained by the Department of Homeland Security;

“(ii) the Non-SDN Chinese Military-Industrial Complex Companies List of the Office of Foreign Assets Control maintained by the Department of the Treasury;

“(iii) the Section 889 Prohibition List established under section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1917) and maintained by the Department of Defense;

“(iv) the list of Chinese Military companies required under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) and maintained by the Department of Defense;

“(v) the Military End User List maintained by the Bureau of Industry and Security of the Department of Commerce;

“(vi) the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce;

“(vii) the List of Equipment and Services maintained by the Federal Communications Commission; or

“(viii) the Withhold Release Orders and Findings List maintained by U.S. Customs and Border Protection;

“(E) has a security risk with a primary source that is classified; or

“(F) has a security risk that the Federal agency determines warrants a denial;”;

(D) by inserting after paragraph (16), as so redesignated, the following:

“(17) provide for—

“(A) a process under which, upon making an award decision to deny an application on the basis of a determination under paragraph (16), or upon making a determination under paragraph (16) that a small business concern has a security risk described in that paragraph, the Federal agency provides to the small business concern, as appropriate pursuant to the discretion of the Federal agency and in a manner that does not compromise national security, a notification—

“(i) advising the small business concern of such determination; and

“(ii) identifying the basis for such determination; and

“(B) a policy that clarifies that receipt of an award decision denying an application does not prohibit the small business concern from being eligible for an award in a subsequent award cycle;”;

(E) in paragraph (19), as so redesignated—

(i) in subparagraph (A), by striking “paragraph (16)(A)” and inserting “paragraph (18)(A)”;

(ii) in subparagraph (C), by striking “paragraph (16)(B)” and inserting “paragraph (18)(B)”;

(2) in subsection (o)—

(A) by redesignating paragraphs (19), (20), and (21) as paragraphs (20), (22), and (23), respectively;

(B) by inserting after paragraph (18) the following:

“(19) evaluate whether a small business concern presents a security risk for any reason, through measures including—

“(A) the due diligence process required under subsection (vv);

“(B) disclosures submitted under this subsection; or

“(C) coordination with the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), Federal law enforcement, and other counterintelligence capabilities of the Federal Government;”;

(C) in paragraph (20), as so redesignated—

(i) by striking subparagraph (B);

(ii) by striking “that—” and all that follows through “the small business concern submitting” and inserting “that the small business concern submitting”;

(iii) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(iv) in subparagraph (B), as so redesignated, by striking “or” at the end;

(v) in subparagraph (C), as so redesignated, by striking “and” at the end; and

(vi) by adding at the end the following:

“(D) has a foreign risk connecting the small business concern to an entity, including any affiliates of the entity, or individual on—

“(i) the UFLPA Entity List maintained by the Department of Homeland Security;

“(ii) the Non-SDN Chinese Military-Industrial Complex Companies List of the Office of Foreign Assets Control maintained by the Department of the Treasury;

“(iii) the Section 889 Prohibition List established under section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1917) and maintained by the Department of Defense;

“(iv) the list of Chinese Military companies required under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) and maintained by the Department of Defense;

“(v) the Military End User List maintained by the Bureau of Industry and Security of the Department of Commerce;

“(vi) the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce;

“(vii) the List of Equipment and Services maintained by the Federal Communications Commission; or

“(viii) the Withhold Release Orders and Findings List maintained by U.S. Customs and Border Protection;

“(E) has a security risk with a primary source that is classified; or

“(F) has a security risk that the Federal agency determines warrants a denial;”;

(D) by inserting after paragraph (20) the following:

“(21) provide for—

“(A) a process under which, upon making an award decision to deny an application on the basis of a determination under paragraph (20), or upon making a determination under paragraph (20) that a small business concern has a security risk described in that paragraph, the Federal agency provides to the small business concern, as appropriate pursuant to the discretion of the Federal agency and in a manner that does not compromise security, a notification—

“(i) advising the small business concern of such determination; and

“(ii) identifying the basis for such determination; and

“(B) a policy that clarifies that receipt of an award decision denying an application does not prohibit the small business concern from being eligible for an award in a subsequent award cycle;”;

(E) in paragraph (23), as so redesignated—

(i) in subparagraph (B), by striking “paragraph (20)(A)” and inserting “paragraph (22)(A)”;

(ii) in subparagraph (C), by striking “paragraph (20)(B)” and inserting “paragraph (22)(B)”;

(3) in subsection (vv)(2)—

(A) by amending subparagraph (A) to read as follows:

“(A) assess, using a risk-based approach as appropriate—

“(i) the cybersecurity practices of a small business concern;

“(ii) patent analysis;

“(iii) employee analysis;

“(iv) foreign ownership of a small business concern seeking an award, including the fi-

ancial ties and obligations (which shall include surety, equity, and debt obligations) of the small business concern and employees of the small business concern to a foreign country, foreign person, or foreign entity;

“(v) foreign affiliations of a covered individual, owner, or other key personnel of a small business concern with an entity in a foreign country of concern;

“(vi) investment relationships of a small business concern with an individual or entity in a foreign country of concern;

“(vii) technology licensing agreements or joint ventures (including joint venture-like agreements) with an individual or entity in a foreign country of concern; and

“(viii) business relationships between a covered individual, owner, or other key personnel of a small business concern and an individual or entity in a foreign country of concern;”;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) examine any relationship of a small business concern seeking an award to any entity or individual included on the lists described in subsections (g)(16)(D) and (o)(20)(D).”.

(b) GAO STUDY.—Section 4(b)(4) of the SBIR and STTR Extension Act of 2022 (Public Law 117–183; 136 Stat. 2183) is amended by striking “3 years” and inserting “8 years”.

SEC. 3. PHASE II STRATEGIC BREAKTHROUGH FUNDING.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (aa), by adding at the end the following:

“(6) STRATEGIC BREAKTHROUGH ALLOCATION.—The requirement under paragraph (1) and the requirement to receive a waiver from the Administrator under paragraph (4) do not apply to a Federal agency for awards of not more than \$30,000,000 to a small business concern with funds made available under a strategic breakthrough allocation (as defined in subsection (ff)(3)(A)).”; and

(2) in subsection (ff), by adding at the end the following:

“(3) STRATEGIC BREAKTHROUGH AWARDS.—

“(A) STRATEGIC BREAKTHROUGH ALLOCATION DEFINED.—In this paragraph, the term ‘strategic breakthrough allocation’ means, with respect to a Federal agency with a required expenditure under subsection (f)(1) in excess of \$100,000,000, an expenditure amount from the SBIR allocation under subsection (f)(1) of such agency of not more than 0.50 percent of the extramural budget for research or research and development designated for such agency for fiscal year 2026 and every fiscal year thereafter.

“(B) AWARD.—Under this paragraph, a funding agreement may be awarded to a small business concern by a Federal agency using funds made available under a strategic breakthrough allocation.

“(C) FUND PARAMETERS.—In the case of a Phase II agreement that is awarded to a small business concern by a Federal agency using funds made available under a strategic breakthrough allocation, the following requirements shall apply:

“(i) AWARD SIZE AND PERIOD OF PERFORMANCE.—A Federal agency may award from a strategic breakthrough allocation not more than \$30,000,000 to a small business concern, including its affiliates, in a single award or series of awards based on reaching production or development milestones, if the total period of performance of the project with respect to which such funds are awarded is not more than 48 months.

“(ii) SMALL BUSINESS CONCERN REQUIREMENTS.—The small business concern shall—

“(I) have been awarded not less than 1 prior Phase II award under the SBIR or STTR program;

“(II) demonstrate not less than 100 percent matching funds from—

“(aa) new private capital as a result of an award using funds made available under a strategic breakthrough allocation;

“(bb) new funding awarded by a government agency under a program other than Phase I or II of the SBIR or STTR program as a result of an award using funds made available under a strategic breakthrough allocation; or

“(cc) a combination of funds described in items (aa) and (bb);

“(III) demonstrate a technology that is an effective solution, as determined by market research; and

“(IV) only be eligible for an award from the strategic breakthrough allocation at the Department of Defense if the small business concern—

“(aa) provides a product, process, or technology that meets a necessary level of readiness and has a commitment for inclusion in a program objective memorandum from an official with the rank of program acquisition executive or higher in an acquisition organization of the Department of Defense;

“(bb) provides a product, process, or technology that will meet high priority requirements or operational needs of a military department through a successful transition and into the acquisition process; and

“(cc) demonstrates not less than 20 percent of the required matching funds under subclause (II) come from new funding awarded by the Department of Defense under a program other than Phase I or II of the SBIR or STTR program as a result of an award using funds made available under a strategic breakthrough allocation.

“(iii) DEADLINE.—The Federal agency shall complete any contract awards using strategic breakthrough allocation funds not later than 90 days after receiving a proposal from a small business concern for the award.

“(iv) ELIGIBLE ACTIVITIES.—Eligible activities by a small business concern using strategic breakthrough allocation funds are any critical technology areas or requirements deemed necessary by the Federal agency.

“(v) SELECTION CRITERIA.—In making awards using funds made available under a strategic breakthrough allocation, the Federal agency shall consider—

“(I) the potential of the small business concern to advance the national security capabilities of the United States;

“(II) the potential of the small business concern to provide new technologies or processes, or new applications of existing technologies, that will enable new alternatives to existing programs;

“(III) whether a customer in a Federal agency has expressed an intent to purchase and integrate technology from the small business concern into its operations; or

“(IV) whether a particular technology area is undercapitalized by private investment.

“(D) USE OF STREAMLINED CONTRACTING MECHANISMS.—Each Federal agency shall implement streamlined processes and requirements for submitting proposals and applying for awards using funds made available under a strategic breakthrough allocation.”

(b) COMMERCIALIZATION READINESS PROGRAM.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)) is amended—

(1) in paragraph (2)—

(A) by striking “shall identify” and inserting “shall—

“(A) identify”;

(B) in subparagraph (A), as so designated—

(i) by inserting “, including small business concerns with an award from the strategic breakthrough allocation (as defined in sub-

section (ff)(3)(A),” before “that have the potential”;

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(B) ensure, in collaboration with SBIR program managers of each component, that research programs identified under subparagraph (A) are analyzed within the programming and budgeting process as budget requests are developed; and

“(C) provide to the Committee on Small Business and Entrepreneurship of the Senate and the Committees on Small Business and Science, Space, and Technology of the House of Representatives information on the integration of SBIR and STTR awardees in budget rollouts for research, development, testing, and evaluation activities.”;

(2) by striking paragraph (3);

(3) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively; and

(4) in paragraph (5), as so redesignated—

(A) in subparagraph (B), by striking “and” at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

“(C) establish a mechanism to provide small business concerns with direct access to program and requirements offices that may purchase technology from the small business concern under Phase III of the SBIR program; and”.

(c) BRIEFINGS.—

(1) DEFINITION.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Small Business and Entrepreneurship of the Senate;

(B) the Committee on Small Business of the House of Representatives; and

(C) the Committee on Science, Space, and Technology of the House of Representatives.

(2) GENERAL REQUIREMENT.—Not later than 60 days after the date of enactment of this Act, the head of each Federal agency that is eligible to make an award from funds made available under a strategic breakthrough allocation (as defined in paragraph (3) of subsection (ff) of section 9 of the Small Business Act (15 U.S.C. 638), as added by this section) shall brief the appropriate committees of Congress on whether that Federal agency plans to make awards pursuant to the authority provided under such paragraph (3), including the reasons why the Federal agency plans to, or does not plan to, use that authority.

(3) RECURRING BRIEFING BY FEDERAL AGENCIES USING FUNDING AUTHORITY.—The head of each Federal agency that opts to make awards pursuant to the authority under paragraph (3) of subsection (ff) of section 9 of the Small Business Act (15 U.S.C. 638), as added by this section, shall, on a recurring basis until the Federal agency finalizes procedures for making those awards, brief the appropriate committees of Congress regarding the implementation of such paragraph (3) by that Federal agency.

(d) TERMINATION.—Effective on September 30, 2031—

(1) this section and the amendments made by this section shall cease to have effect; and

(2) the provisions of law amended by this section shall be restored as if such amendments had not been enacted.

SEC. 4. REDUCING ADMINISTRATIVE BURDEN.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(aaa) REDUCING ADMINISTRATIVE BURDEN.—

“(1) IN GENERAL.—With respect to fiscal year 2027 and each fiscal year thereafter, the

Director of the SBIR or STTR program office of each Federal agency shall, pursuant to authority that may not be delegated, set equally for all small business concerns a limit on the maximum number of proposals that a small business concern may submit in response to Phase I solicitations and Phase II solicitations under subsection (cc), published by that Federal agency, including all components of that Federal agency, in a single fiscal year. In establishing such a limitation, the Director of the SBIR or STTR program office of each Federal agency shall use 1 of the following methods:

“(A) A limit for any small business concern on a fiscal year basis.

“(B) A limit for any small business concern on a solicitation basis.

“(C) A limit for any small business concern on a topic basis.

“(2) WAIVER.—

“(A) IN GENERAL.—On a topic by topic basis, the Director of the SBIR or STTR program office of each Federal agency may grant a waiver of the proposal limit under paragraph (1) at the time of a solicitation announcement for a specific topic for the SBIR or STTR program of the Federal agency if the topic is time-sensitive and urgent to the mission of the Federal agency.

“(B) WRITTEN JUSTIFICATION.—For each topic for which a waiver is sought under subparagraph (A), the Director of the SBIR or STTR program office of the Federal agency shall provide a written justification to the Administrator, and to the Undersecretary described in subparagraph (C), for why the use of the waiver authority is imperative for the agency’s mission and the nature of the immediate and critical need that the Director reasonably believes cannot be met by small business concerns that have not reached the proposal limit under paragraph (1).

“(C) TIMING.—The Undersecretary overseeing the SBIR or STTR program at a Federal agency and the Administrator are required to approve or disapprove a waiver and written justification not later than 15 days after the date on which the Undersecretary receives from the Director the waiver request described in subparagraph (A) and the written justification described in subparagraph (B).

“(D) NONDELEGATION.—The authority to grant or approve a waiver under subparagraph (A) or (C), respectively, may not be delegated.

“(E) WAIVER EFFECTS.—If the Federal agency grants a waiver under subparagraph (A) with respect to a topic for the SBIR or STTR program of a Federal agency, paragraph (1) shall not prohibit any small business concern from submitting an SBIR or STTR proposal to that Federal agency under such topic.

“(F) RECORD REQUIREMENT.—Participating agencies shall maintain information on topics to which waivers of the proposal limit under this paragraph are granted, including the written justifications for those waivers.

“(G) LIMITATION.—A Federal agency may not grant a waiver under this paragraph with respect to more than 5 percent of the topics of the SBIR and STTR programs of the Federal agency in any fiscal year.

“(3) REPORTING.—

“(A) IN GENERAL.—Not later than 30 days after the date on which the Director of the SBIR or STTR program office of a Federal agency sets or changes a limit under paragraph (1), the head of that Federal agency shall provide to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives the methodology for setting or changing that

limit, the considerations made in setting or changing that limit, and how many small business concerns are impacted by that limit based on historical data.

“(B) WRITTEN NOTIFICATION.—Not later than 30 days after the date on which the Director of the SBIR or STTR program office of a Federal agency grants a waiver under paragraph (2), the Director shall provide to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a written notification regarding the granting of that waiver, which shall include the information described in paragraph (2)(F) with respect to that waiver.

“(4) TIMING.—The Director shall establish the proposal limit under paragraph (1) not later than 90 days before the start of fiscal year 2027 and each fiscal year thereafter.”.

SEC. 5. PHASE III AWARD EDUCATION.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (e)—
(A) in paragraph (18), by striking “and” at the end;

(B) in paragraph (19), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(20) the term ‘agency acquisition workforce’ means the employees of a Federal agency that have procurement or acquisition responsibilities, including—

“(A) employees described in section 1703 of title 41, United States Code; and

“(B) individuals that are part of the acquisition workforce, as defined in section 101(a) of title 10, United States Code.”;

(2) in subsection (r), by adding at the end the following:

“(5) WORKFORCE TRAINING.—

“(A) IN GENERAL.—The Administrator, in coordination with the Secretary of Defense, the Administrator of General Services, and the head of any other Federal agency that the Administrator determines appropriate, shall establish training activities for contracting officers and the agency acquisition workforce of Federal agencies to ensure that all such individuals are fully aware of all aspects of Phase III awards under the SBIR and STTR programs, as applicable.

“(B) TRAINING TOPICS.—The training activities required under subparagraph (A) shall include training on—

“(i) the missions, goals, and authorities of the SBIR and STTR programs;

“(ii) the use of Phase III agreements;

“(iii) Phase III data rights; and

“(iv) the execution of Phase III sole source award contracts.

“(C) FUNDING.—The training activities required under subparagraph (A) may be carried out using funds made available to carry out subsections (y) and (mm).”; and

(3) in subsection (mm)(1)—

(A) in subparagraph (J), by striking “and” at the end;

(B) in subparagraph (K), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(L) contracting officer and acquisition workforce training activities pursuant to subsection (r)(5).”.

SEC. 6. PHASE III IMPROVEMENTS.

(a) PROCUREMENT CENTER REPRESENTATIVE DIRECTIVES.—

(1) IN GENERAL.—Section 9(j)(4) of the Small Business Act (15 U.S.C. 638(j)(4)) is amended by inserting before the period at the end the following: “, and advocate for the maximum practicable use and transition of products, services, and technologies developed under SBIR or STTR programs to Phase III by means of Phase III awards to small business concerns”.

(2) MODIFICATION DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Small Business Administration shall modify the policy directives issued pursuant to subsection (j) of section 9 of the Small Business Act (15 U.S.C. 638(j)) in accordance with paragraph (4) of that subsection, as amended by paragraph (1).

(b) PHASE III AWARD SIMPLIFICATION.—Section 9(r)(4) of the Small Business Act (15 U.S.C. 638(r)(4)) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(C) develop simplified and standardized procedures and model contracts for Phase I, Phase II, and Phase III SBIR awards and report to the Administrator on actions taken by the Federal agency in support of these objectives; and

“(D) as applicable, issue standardized solicitation provisions and contract clauses that provide clear guidance on the information that small business concerns participating in SBIR or STTR programs can be expected to provide as part of market research or as part of a proposal by those small business concerns to establish eligibility for Phase III awards.”.

SEC. 7. TECHNICAL AND BUSINESS ASSISTANCE IMPROVEMENTS.

Section 9 of the Small Business Act (15 U.S.C. 638(q)), as amended by this Act, is amended—

(1) in subsection (q)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “may enter into an agreement with 1 or more vendors selected under paragraph (2)(A) to provide small business concerns engaged in SBIR or STTR projects with technical and business assistance services” and inserting “shall authorize recipients of awards under the SBIR program or the STTR program to select, if desired, technical and business assistance provided under subparagraph (A) or (B) of paragraph (2) with respect to SBIR or STTR projects”;

(II) by inserting “cybersecurity assistance,” after “intellectual property protections,”; and

(III) by striking “such concerns” and inserting “such recipients”;

(ii) in subparagraph (C), by striking “and” at the end;

(iii) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(E) screening for potential foreign involvement in technology development or commercialization activities.”; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “VENDOR SELECTION” and inserting “ELIGIBLE USES OF FUNDS.—”;

(ii) by striking subparagraph (A);

(iii) by redesignating subparagraph (B) as subparagraph (A); and

(iv) by inserting after subparagraph (A), as so redesignated, the following:

“(B) STAFF.—A small business concern may, by contract or otherwise, use funding provided under this section to hire new staff, augment staff, or direct staff to conduct or participate in training activities consistent with the goals listed in paragraph (1).”;

(C) in paragraph (3)—

(i) by striking subparagraphs (A) and (B) and inserting the following:

“(A) PHASE I.—A Federal agency described in paragraph (1) shall authorize a recipient of a Phase I SBIR or STTR award to use not more than \$6,500 per project, included as part

of the award of the recipient or in addition to the amount of the award of the recipient as determined appropriate by the head of the Federal agency, for the services described in paragraph (1)—

“(i) provided through a vendor selected by the small business concern under paragraph (2)(A); or

“(ii) achieved through the activities described in paragraph (2)(B).

“(B) PHASE II.—A Federal agency described in paragraph (1) shall authorize a recipient of a Phase II SBIR or STTR award to utilize not more than \$50,000 per project, included as part of the award of the recipient or in addition to the amount of the award of the recipient as determined appropriate by the head of the Federal agency, for the services described in paragraph (1)—

“(i) provided through a vendor selected by the small business concern under paragraph (2)(A); or

“(ii) achieved through the activities described in paragraph (2)(B).”; and

(D) by adding at the end the following:

“(5) TARGETED REVIEW.—A Federal agency may perform targeted reviews of technical and business assistance funding as described in subsection (mm)(1)(F).”; and

(2) by adding at the end the following:

“(bbb) I-CORPS PARTICIPATION.—

“(1) IN GENERAL.—Each Federal agency with an Innovation Corps program (commonly known as ‘I-Corps’) that is required to conduct an SBIR or STTR program shall—

“(A) provide an option for requesting participation in an I-Corps teams course, I-Corps bootcamp, or another equivalent training program to recipients of an award under the SBIR or STTR program; and

“(B) authorize the recipients described in subparagraph (A) to use amounts authorized under subsection (q) to participate in the I-Corps teams course, I-Corps bootcamp, or another equivalent training program.

“(2) COST OF PARTICIPATION.—The cost of participation by a recipient described in paragraph (1)(A) in an I-Corps course, I-Corps bootcamp, or another equivalent training program may be provided by—

“(A) an I-Corps team SBIR or STTR grant;

“(B) funds awarded to the recipient under subsection (q);

“(C) funds made available to carry out subsection (mm);

“(D) the participating teams or other sources as appropriate; or

“(E) any combination of sources described in subparagraphs (A), (B), (C), and (D).”.

SEC. 8. IMPROVING SBIR AND STTR DATA COLLECTION.

(a) ADDITIONAL DATA FIELDS IN SBIR DATABASE.—Section 9(k)(1) of the Small Business Act (15 U.S.C. 638(k)(1)) is amended—

(1) in subparagraph (E)(iv), by striking “and” at the end;

(2) in subparagraph (F)(v), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(G) for each award granted, whether the award is classified or designated as—

“(i) direct to Phase II, under subsection (ce);

“(ii) subsequent Phase II, under subsection (bb)(1);

“(iii) a strategic breakthrough award under subsection (ff)(3);

“(iv) a Phase III prime contract award; or

“(v) a Phase III subcontract award.”.

(b) IMPROVING FEDERAL PROCUREMENT DATA SYSTEMS DATA TRACKING.—

(1) DEFINITIONS.—In this section:

(A) FEDERAL AGENCY; PHASE II; PHASE III; SBIR; STTR.—The terms “Federal agency”, “Phase II”, “Phase III”, “SBIR”, and “STTR” have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

(B) **SMALL BUSINESS CONCERN.**—The term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(2) **REQUIREMENT TO UPDATE.**—The Administrator of General Services shall update the Federal Procurement Data System described in section 1122(a)(4) of title 41, United States Code, or any successor system, to—

(A) require reporting on whether an award under the SBIR or STTR program under section 9 of the Small Business Act (15 U.S.C. 638) is classified or designated as—

(i) direct to Phase II, under subsection (cc) of such section;

(ii) subsequent Phase II, under subsection (bb)(1) of such section;

(iii) a strategic breakthrough award under subsection (ff)(3) of such section, as added by this Act;

(iv) a Phase III prime contract award; or
(v) a Phase III subcontract award;

(B) require reporting on whether a contract is designated as a Phase III contract;

(C) require reporting on whether non-SBIR contracts and subcontracts are using SBIR- or STTR-funded technology; and

(D) require a government contracting officer, when recording a Phase II or Phase III contract following on from work done by a small business concern during a Phase I or Phase II award, to reference an SBIR or STTR contract identification number for relevant prior SBIR or STTR work done.

SEC. 9. EXTENDING SBIR AND STTR AUTHORIZATION.

(a) **IN GENERAL.**—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended—

(1) in subsection (m), by striking “September 30, 2025” and inserting “September 30, 2031”; and

(2) in subsection (n)(1)(A), by striking “2025” and inserting “2031”.

(b) **CARRY OVER FUNDS.**—If a Federal agency that participates in the SBIR or STTR program has funds remaining at the end of fiscal year 2026 from amounts required to be expended under subsection (f)(1) or (n)(1), respectively, of section 9 of the Small Business Act (15 U.S.C. 638), the Federal agency may use those remaining funds in fiscal year 2027 for the SBIR or STTR program, as applicable, of the Federal agency.

SEC. 10. EXTENSION OF SBIR AND STTR PROGRAMS AND ACTIVITIES.

(a) **PHASE FLEXIBILITY.**—Section 9(cc) of the Small Business Act (15 U.S.C. 638(cc)) is amended—

(1) by striking “During fiscal years 2012 through 2025” and inserting “Until September 30, 2031”;

(2) by striking “, and the Department of Education” and inserting “the Department of Energy, the National Aeronautics and Space Administration, and the Department of Education”; and

(3) by inserting “or STTR program” after “SBIR program” each place that term appears.

(b) **COMMERCIALIZATION READINESS PROGRAM FOR CIVILIAN AGENCIES PILOT PROGRAM.**—Section 9(gg)(7) of the Small Business Act (15 U.S.C. 638(gg)(7)) is amended by striking “2025” and inserting “2031”.

(c) **ACCELERATED AWARDS.**—Section 9(hh)(2)(C) of the Small Business Act (15 U.S.C. 638(hh)(2)(C)) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(d) **PHASE 0 PILOT PROGRAM.**—Section 9(jj)(7) of the Small Business Act (15 U.S.C. 638(jj)(7)) is amended by striking “2025” and inserting “2031”.

(e) **ADMINISTRATIVE ASSISTANCE.**—Section 9(mm)(1) of the Small Business Act (15 U.S.C. 638(mm)(1)) is amended by striking “Sep-

tember 30, 2025” and inserting “September 30, 2031”.

(f) **INCREASED MINIMUM PERFORMANCE STANDARDS.**—Section 9(qq)(3)(I) of the Small Business Act (15 U.S.C. 638(qq)(3)(I)) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(g) **COMMERCIALIZATION ASSISTANCE PILOT PROGRAMS.**—Section 9(uu)(3) of the Small Business Act (15 U.S.C. 638(uu)(3)) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(h) **DUE DILIGENCE PROGRAM.**—Section 9(vv)(3)(C) of the Small Business Act (15 U.S.C. 638(vv)(3)(C)) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(i) **STTR PARTICIPATION OF MILITARY RESEARCH AND EDUCATIONAL INSTITUTIONS PILOT PROGRAM.**—Section 9(yy)(2) of the Small Business Act (15 U.S.C. 638(yy)(2)) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(j) **BUDGET CALCULATION PILOT PROGRAM.**—Section 9(zz)(3) of the Small Business Act (15 U.S.C. 638(zz)(3)) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(k) **SPECIAL OPERATIONS COMMAND PILOT.**—Section 851(e) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 4901 note) is amended by striking “September 30, 2025” and inserting “September 30, 2031”.

(l) **GOVERNMENT ACCOUNTABILITY OFFICE MANDATE SUNSET.**—The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) is amended by striking section 5142 (15 U.S.C. 638a).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. VAN DUYNE) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. VAN DUYNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. VAN DUYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3971, the Small Business Innovation and Economic Security Act, which reauthorizes the Small Business Innovation Research and Small Business Technology Transfer programs through September 30, 2031.

The SBIR and the STTR programs are critical to American innovation and help ensure the United States remains a step ahead of foreign adversaries.

This reauthorization package is the culmination of countless hours of bipartisan and bipartisan negotiations over several months.

I thank my colleagues in the House—Chairman WILLIAMS and Ranking Member VELÁZQUEZ with the Committee on Small Business and Chairman BABIN and Ranking Member LOFGREN with the Committee on Science, Space &

Technology—for their work to get these programs reauthorized.

I thank Chairman ERNST and Ranking Member MARKEY for advancing this bill through the Senate.

Today is the day we get these programs back online for small businesses across the country. The SBIR and the STTR programs have helped small businesses turn big ideas into real solutions by providing early-stage funding for more than 40 years. These investments have produced groundbreaking technologies that strengthen America's economy and our national defense.

Unfortunately, both these programs were shut down for the first time for the last 5 months due to the Senate's inability to pass a short-term clean reauthorization while negotiations continued.

This lapse created uncertainty for small businesses, delayed critical innovation, and risked allowing critical technology to fall into the hands of foreign adversaries.

This reauthorization package contains several bipartisan reforms that restore stability and strengthen the programs by safeguarding American technology, reducing administrative burdens, and accelerating the development of emerging technologies.

This bill also aims to bridge the valley of death between research and commercialization by providing training for acquisition officials, improving data collection across participating agencies, and modernizing technical and business assistance for small businesses.

The chairman and ranking member have shown their commitment to ensuring these programs remain strong, operate efficiently, and support small business innovators, while advancing research and development.

From lifesaving medical advancements to next-generation defense capabilities, the SBIR and the STTR programs empower Main Street to deliver real solutions for both the government and the private sector.

I thank my colleagues on both sides of the aisle and their staff for working to find a bipartisan path forward to reauthorizing these critical programs. I look forward to seeing this bill enacted and the new innovative ideas that follow. I urge my colleagues to support this unanimous commonsense solution.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3971, the Small Business Innovation and Economic Security Act.

Mr. Speaker, the Small Business Innovation Research and Small Business Technology Transfer, SBIR and STTR, programs saw their reauthorizations lapse last October. As a result, nearly \$6 billion in funding for small, innovative companies was frozen.

These programs are overwhelmingly successful, boasting a demonstrated return across over 40 years of operation,

resulting in groundbreaking technologies that have revolutionized medicine, telecommunications, and military capabilities. Unfortunately, negotiations started too late and disagreements were too great to reach a deal before the deadline.

I am proud to say that, after months of uncertainty, we are finally turning the lights back on. The product before us today is the result of that monthslong deliberation while the program was lapsed. Thanks to the hard work of everyone involved, this legislation is something we can all be proud of.

Ideas from our majority like strategic breakthrough funding will help attract both private capital and government buy-in to rapidly scale promising technologies.

At the same time, ideas from myself and Senator MARKEY serve to strengthen our program's Phase III by investing in contract officer training and ensuring the PCRs advocate for small firms with successful products in the government. Together, these provisions mark a cohesive effort at bridging the valley of death for small, innovative companies.

Longstanding bipartisan priorities such as strengthening the program's data collection system, as well as making improvements to technical and business assistance and the Innovative Corps program, have finally made it across the finish line.

In addition, my colleagues on the Science, Space, and Technology Committee made real improvements to the foreign due diligence program, protecting small firms from espionage by our adversaries.

Over and above all, after a period of tremendous uncertainty, a reauthorization period of longer than 5 years will give small businesses and agencies the certainty they need for long-term planning.

The lapse in authorization over the past 5 months has been excruciating and unprecedented for small firms and labs who are at the cutting edge of technology. It has also been painful for families who are waiting for a cure for diseases that afflict their loved ones, only to see the companies working on those cures lose funding.

This lapse was avoidable, and the costs were real. We must be active in efforts to ensure it never happens again.

I am grateful for the work of my colleagues and our staff for bringing this agreement together in the spirit of compromise. That is how this program has always worked and must continue to work. Mr. Speaker, I urge my colleagues to vote "yes."

Mr. Speaker, I reserve the balance of my time.

Ms. VAN DUYNE. Mr. Speaker, we must pass S. 3971 to ensure that Federal investment yields results for our country.

Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. HOULAHAN).

Ms. HOULAHAN. Mr. Speaker, I thank Ranking Member VELÁZQUEZ for yielding time.

Mr. Speaker, I rise today to celebrate a big win for small businesses and innovators in my district and across the country, as well.

For years, I proudly led the bipartisan RAMP for Innovators Act, a bill that gives our small businesses the tools they need to turn great ideas into market-ready products.

Today, I am thrilled that a significant portion of that work is included in the Small Business Innovation and Economic Security Act. Thanks to this bill, these very important provisions and improvements will soon be law.

Today's passage is a testament to what bipartisan and bicameral collaboration can achieve. It was a real disservice that the SBIR and STTR programs lapsed last year, which are the lifeblood of innovation on Main Street. They help both entrepreneurs and small businesses in places like Pennsylvania's Sixth District turn ideas into real products and businesses.

□ 1510

Thanks to this legislation, the programs are back and stronger than before.

Importantly, the bill incorporates key provisions for my RAMP for Innovators Act that give small businesses more control over their commercialization efforts. Under this legislation, companies can now use technical and business assistance funds not just to utilize outside experts but to also hire new staff, expand existing teams, and to train their employees to move their technologies to market.

Agencies will continue to provide oversight to ensure that funds are used effectively, but awardees now have a lot more flexibility to direct these resources to where they are most needed.

Additionally, this bill ensures that SBIR and STTR recipients can participate in the Innovation-Corps, or I-Corps, programs, which provide key trainings that help turn research into market-ready products. Under the provisions in my RAMP for Innovators Act, businesses can use TABA funds and other funding sources for participation in I-Corps, giving small businesses the flexibility they need to fully take advantage of these opportunities.

Having scaled a lot of businesses in southeastern Pennsylvania, I know how critical these resources are. They can literally mean the difference between a promising and even life-changing idea sitting on a shelf and a product that creates jobs and strengthens our economy.

I thank Representative BALDERSON for his continued participation and bipartisan partnership on this, the RAMP for Innovators Act, and to Senator COONS for championing these provisions in the Senate. Together, we are ensuring that

small businesses have the support that they need to grow, hire, and bring bold ideas to market.

This is a really proud moment for Main Street, for innovators, and for my community. I urge all of my colleagues to vote "yes" for the Small Business Innovation and Economic Security Act.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, I once again thank my colleagues in the Senate for their hard work in bringing this together, as well as our House partnership of myself, Chairman WILLIAMS, Chairman BABIN, and Ranking Member LOFGREN for working in a bipartisan way to reauthorize this program.

The time for delay is over. I urge all of my colleagues to vote "yes" and get this bill to the President as soon as possible.

Mr. Speaker, I yield back the balance of my time.

Ms. VAN DUYNE. Mr. Speaker, I urge my colleagues to vote in favor of S. 3971 to support small businesses across the country in advancing technology and innovation. It is time for small businesses to access SBIR and STTR programs again after 5 long months.

Mr. Speaker, I yield back the balance of my time.

Ms. LOFGREN. Mr. Speaker, I rise today in strong support of S. 3971, a reauthorization of the SBIR and STTR Programs.

For more than 40 years, and Small Business Innovation Research Program (SBIR), and later its companion program the Small Business Technology Transfer Program (STTR), have been contributing to U.S. leadership in technological innovation through support for small business research and development.

I have had a front-row seat to the explosive growth of entrepreneurship in Silicon Valley over my lifetime. I understand well the importance of innovative small businesses to our local economy and to the U.S. economy. I also understand the challenges these businesses face accessing capital. The SBIR program has long been called "America's Seed Fund" because they invest in small businesses at the higher-risk early stages before private capital is willing to invest. I also recognize that every agency has a different mission, and tailors their SBIR program accordingly. While that diversity in missions was an undercurrent in the negotiations, in the end we arrived at a good compromise that continues to support competition and innovation while giving the agencies necessary flexibility.

Last fall, as these programs faced imminent closure, the House sent the Senate a one-year, simple extension to keep the programs open to small businesses as the parties continued to negotiate. Unfortunately, there was not unanimity in the Senate to keep supporting small businesses across the country as we continued to negotiate some policy changes. The 6-month halt in the program has had real consequences for businesses and their employees, for innovation, and even for clinical trials and their patients. All of that was avoidable.

Fortunately, we are here today with a very good bill that provides new forms of support and resources for innovative small businesses, increases access and competition, and strengthens guardrails. I am especially pleased that the bill authorizes the programs through fiscal year 2031. Small businesses need certainty that the funding will be available, and agencies need certainty to manage the program efficiently.

I thank Small Business Committee Chairman WILLIAMS and Ranking Member VELÁZQUEZ and Science Committee Chairman BABIN, for their partnership in getting this done. I thank all of the committee staff for their hard work and patience through these months of negotiations. And I thank our partners in the Senate for continuing to work with us to find a path forward. I strongly urge all of my colleagues to support S. 3971 without delay.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. VAN DUYNE) that the House suspend the rules and pass the bill, S. 3971.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Ms. VAN DUYNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HOLOCAUST EXPROPRIATED ART RECOVERY ACT OF 2025

Ms. LEE of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1884) to clarify the Holocaust Expropriated Art Recovery Act of 2016, to appropriately limit the application of defenses based on the passage of time and other non-merits defenses to claims under that Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1884

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Holocaust Expropriated Art Recovery Act of 2025”.

SEC. 2. HOLOCAUST EXPROPRIATED ART RECOVERY ACT OF 2016 IMPROVEMENTS.

(a) IN GENERAL.—The Holocaust Expropriated Art Recovery Act of 2016 (22 U.S.C. 1621 note) is amended—

(1) in section 2—

(A) by redesignating paragraph (8) as paragraph (10);

(B) by inserting after paragraph (7) the following:

“(8) The intent of this Act is to permit claims to recover Nazi-looted art to be brought, notwithstanding the passage of time since World War II. Some courts have frustrated the intent of this Act by dismissing recovery lawsuits in reliance on defenses based on the passage of time, such as laches (for example, *Zuckerman v Metropolitan Museum of Art*, 928 F.3d 186 (2d Cir. 2019)) or adverse possession, acquisitive prescription, or usucapion (for example, *Cassirer v. Thyssen-Bornemisza Foundation*, 89 F.4th

1226 (9th Cir. 2024)) or on other non-merits discretionary defenses, such as the act of state doctrine (for example, *Von Saher v Norton Simon Museum of Art at Pasadena*, 897 F.3d 1141 (9th Cir. 2018)), forum non conveniens, international comity, or prudential exhaustion. In order to effectuate the purpose of the Act to permit claims to recover Nazi-looted art to be resolved on the merits, these defenses must be precluded.

“(9) This Act also is intended to allow claims in accordance with the procedures under this Act for the recovery of artwork or other property lost during the covered period because, or as a result, of Nazi persecution, including by a covered government (as defined in section 1605(h)(3)(B) of title 28, United States Code) or an agent or associate of a covered government, regardless of the nationality or citizenship of the alleged victim, notwithstanding the ‘domestic takings’ rule under *Federal Republic of Germany v. Philipp*, 592 U.S. 169 (2021).”; and

(C) in paragraph (10), as so redesignated, by striking “will yield just and fair resolutions in a more efficient and predictable manner” and inserting “may, in some circumstances, yield just and fair resolutions as well”;

(2) in section 3(2), by inserting “and other non-merits defenses” after “statutes of limitation”;

(3) in section 5—

(A) by striking subsection (g);

(B) by redesignating subsections (e) and (f) as subsections (h) and (i), respectively;

(C) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(D) by inserting after subsection (a) the following:

“(b) RELATION TO FOREIGN STATE IMMUNITIES.—Notwithstanding any other law or prior judicial decision, any civil claim or cause of action covered by subsection (a) shall be deemed to be an action in which rights in violation of international law are in issue for purposes of section 1605(a)(3) of title 28, United States Code, without regard to the nationality or citizenship of the alleged victim.”;

(E) in subsection (d), as so redesignated, in the matter preceding paragraph (1), by striking “subsection (e)” and inserting “subsection (h)”;

(F) in subsection (e), as so redesignated—

(i) in the matter preceding paragraph (1), by striking “Subsection (a)” and inserting “Subsections (a), (b), (f), and (g)”;

(ii) in paragraph (2), by striking “during the period” and all that follows and inserting “on or after the date of enactment of this Act.”; and

(G) by inserting after subsection (e), as so redesignated, the following:

“(f) DEFENSES BASED ON PASSAGE OF TIME AND OTHER NON-MERITS DEFENSES.—With respect to any claim that is otherwise timely under this Act—

“(1) all defenses or substantive doctrines based on the passage of time, including laches, adverse possession, acquisitive prescription, and usucapion, may not be applied with respect to the claim; and

“(2) all non-merits discretionary bases for dismissal, including the act of state doctrine, international comity, forum non conveniens, prudential exhaustion, and similar doctrines unrelated to the merits, may not be applied with respect to the claim.

“(g) NATIONWIDE SERVICE OF PROCESS.—For a civil action brought under subsection (a) in any State or Federal court, process may be served in the judicial district where the case is brought or any other judicial district of the United States where the defendant may be found, resides, has an agent, or transacts business.”; and

(4) by adding at the end the following:

“SEC. 6. SEVERABILITY.

“If any provision of this Act, or the application of a provision of this Act to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any civil claim or cause of action that is—

(1) pending in any court on the date of enactment of this Act, including any civil claim or cause of action that is pending on appeal or for which the time to file an appeal has not expired; or

(2) filed on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. LEE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. LEE of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 1884.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. LEE of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am grateful for the opportunity to bring this legislation before the House today. I thank my bipartisan colleagues in both Chambers who have worked to advance this important effort.

In the House, I thank Ranking Member JAMIE RASKIN and Representatives SCOTT FITZGERALD, JERRY NADLER, and MAGGIE GOODLANDER.

In the Senate, I thank Senators JOHN CORNYN, TED CRUZ, RICHARD BLUMENTHAL, and CHUCK SCHUMER.

The Nazi regime committed unimaginable atrocities during the Holocaust, murdering millions of Jews and destroying families, communities, and livelihoods.

The regime also carried out a systematic campaign of cultural theft. Hundreds of thousands of works of art and cultural objects were confiscated or misappropriated from Jewish families and other persecuted groups across Europe. These were not simply possessions. They were pieces of family history, identity, and legacy.

After World War II, the United States and our Allies attempted to return stolen artwork to their rightful owners, yet many pieces were never reunited with the families from whom they were taken.

In the decades since, these works have surfaced in museums, galleries, and private collections around the world.

In 1998, the United States convened the Washington Conference on Nazi-Confiscated Art with more than 40 nations. The conference produced the