bill to establish that a State-based education loan program is excluded from certain requirements relating to a preferred lender arrangement.

S. 3072

At the request of Mrs. HYDE-SMITH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 3072, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes.

S. RES. 297

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 297, a resolution commending the Inter-American Foundation (IAF) on the occasion of its 50th anniversary for its significant accomplishments and contributions to the economic and social development of the Americas.

S. RES. 374

At the request of Mr. COTTON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 374, a resolution expressing support for the designation of October 23, 2019, as a national day of remembrance of the tragic terrorist bombing of the United States Marine Corps barracks in Beirut, Lebanon, in 1983.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 3096. A bill to amend the Public Health Service Act to authorize the Director of the Centers for Disease Control Prevention to develop a program to prevent the use of electronic nicotine delivery systems among students in middle and high schools, to award grants to State and local health agencies to implement such program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3096

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 ''Providing Resources to End the Vaping Epidemic Now for Teenagers Act of 2020'' or the ''PREVENT Act of 2020''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) High school e-cigarette use increased by 135 percent between 2017 and 2019.

(2) Middle school e-cigarette use increased by approximately 218 percent between 2017 and 2019.

(3) Results from the National Youth Tobacco Survey of the Centers for Disease Control and Prevention (in this section referred to as ''CDC'') and the Food and Drug Administration (in this section referred to as ''FDA'') published in December 2019 show that 27.5 percent of high school students and 10.5 percent of middle school students reported using an e-cigarette in the previous 30 days, up from 20.8 percent and 4.9 percent, respectively, in 2018.

(4) In 2019, more than one-third (34.2 percent) of high school e-cigarette users reported using e-cigarettes products frequently, on 20 to 30 days in the past month.

(5) The CDC, the FDA, the Department of Health and Human Services, the Surgeon General, and various State and local health authorities have determined the skyrocketing e-cigarette use amongst American youth to be an ''epidemic''.

(6) According to the CDC, the use of nicotine among adolescents can be detrimental to memory making, learning, and behavior, and e-cigarette use has been linked to lung conditions and mysterious illness.

(7) According to data from the FDA's Population Assessment of Tobacco and Health Study, youth e-cigarette use is associated with more than four times the odds of trying cigarettes and nearly three times the odds of current cigarette use.

(8) The CDC and FDA continue to reiterate that the use of any tobacco product, including e-cigarettes, is unsafe for young people.

SEC. 3. GRANT PROGRAM TO PREVENT THE USE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS IN MIDDLE AND HIGH SCHOOLS.

Title III of the Public Health Service Act is amended by inserting after section 317T of such Act (42 U.S.C. 247b–22) the following:

''SEC. 317U. GRANT PROGRAM TO PREVENT THE USE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS IN MIDDLE AND HIGH SCHOOLS.

''(a) ESTABLISHMENT.—The Secretary, acting through the Director, in coordination with the Commissioner of Food and Drugs, shall—

''(1) develop a program to prevent the use of electronic nicotine delivery systems among students in middle and high schools; and

''(2) award grants to eligible entities to implement such program in the geographic area served by such agencies and organizations.

''(b) ELIGIBLE ENTITIES.—To seek a grant under this section, an entity shall be—

''(1) a State or local health agency;

''(2) a nonprofit organization; or

''(3) if the grant is to serve students in a rural area, a partnership of—

''(A) an entity described in paragraph (1) or (2); and

''(B) a local educational agency or a hospital.

''(c) PROGRAM REQUIREMENTS.—The program developed under subsection (a)(1) to prevent the use of electronic nicotine delivery systems among students in middle and high schools shall address each of the following:

''(1) Training for school personnel to identify and prevent the use by youth of electronic nicotine delivery systems.

''(2) Creating and distributing educational resources for preventing the use of electronic nicotine delivery systems, designed for students, parents, and school personnel.

''(3) Social media and marketing campaigns to educate students on the health risks of the use of electronic nicotine delivery systems and nicotine addiction, to be designed by the Centers for Disease Control and Prevention and implemented by grantees in partnership with private advertising companies, nonprofit organizations, and advocacy organizations that specialize in youth substance use prevention and addiction treatment.

''(4) Resources for students on how to communicate with their peers on the dangers of e-cigarette use.

''(5) Partnering with school counseling personnel to assist students impacted by youth vaping.

''(6) Offering public health resources and counseling to help treat youth nicotine addiction and recovery.

''(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities proposing to serve underserved populations with the greatest use of vaping products.

''(e) APPLICATION.—To seek a grant under subsection (a)(2), an eligible entity shall submit an application at such time, in such manner, and containing such information as the Director may require.

''(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure that such grants are distributed equitably across urban and rural areas.

''(g) CONSULTATION.—As a condition on receipt of a grant under subsection (a)(2), an eligible entity shall agree that, in carrying out its program funded through the grant, the agency will consult with the following:

''(1) Public health, health care, and youth vaping prevention advocacy organizations, and organizations representing educators.

''(2) Organizations that specialize in addiction prevention and treatment.

''(3) Mental health and medical specialists, including professionals who specialize in child development.

''(4) School principals and other school administrators.

''(h) REPORTING.—

''(1) BY GRANTEES.—As a condition on the receipt of a grant under subsection (a)(2), an eligible entity shall agree to submit to the Director a report annually over the grant period. Each such report shall address the following:

''(A) The greatest obstacles in implementing the program developed under subsection (a)(1).

''(B) The greatest obstacles in preventing the use by youth of electronic nicotine delivery systems.

''(C) Additional resources are needed to address the popularity of electronic delivery systems and youth vaping culture.

''(2) REPORTING BY CDC.—Not later than 2 years after the program is developed pursuant to subsection (a)(1), and annually thereafter, the Director shall submit to Congress a report on the following:

''(A) How the funds made available for carrying out this section were used in developing a program under subsection (a)(1) and implementing such program through grants under subsection (a)(2).

''(B) Which strategies or resources were effective in preventing the use by youth of electronic nicotine delivery systems.

''(C) Which strategies or resources were not effective in preventing the use by youth of electronic nicotine delivery systems.

''(3) POSTING OF REPORTS AND COMPILED FINDINGS.—The Director shall—

''(A) not later than 60 days after receiving a report submitted by a grantee pursuant to paragraph (1), summarize the key findings of such report and post such summary on the public internet website of the Centers for Disease Control and Prevention; and

''(B) not later than 60 days after submitting a report to Congress under paragraph (2), summarize the key findings of the report and post such summary on such public internet website.

''(i) DEFINITIONS.—In this section:

''(1) The term 'Director' means the Director of the Centers for Disease Prevention and Control.

''(2) The term 'electronic nicotine delivery system' has the meaning given to such term

in section 919A of the Federal Food, Drug, and Cosmetic Act.

"(j) FUNDING.—Out of amounts collected as fees under section 919A of the Federal Food, Drug, and Cosmetic Act, there are authorized to be appropriated to carry out this section the following:

"(1) For fiscal year 2021, $200,000,000.

"(2) For each of fiscal years 2022 and 2023, the amount described in paragraph (1), adjusted by the percentage change in the Consumer Price Index for all urban consumers (all items; United States city average) between 2021 and the applicable year.".

SEC. 4. USER FEES RELATING TO ELECTRONIC NICOTINE DELIVERY SYSTEMS.

(a) IN GENERAL.—Chapter IX of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387 et seq.) is amended by inserting after section 919 the following:

"SEC. 919A. USER FEES RELATING TO ELECTRONIC NICOTINE DELIVERY SYSTEMS.

"(a) ESTABLISHMENT OF QUARTERLY FEE.—Beginning with fiscal year 2021, the Secretary, acting through the Commissioner of Food and Drugs, shall assess user fees on, and collect such fees from, each manufacturer and importer of electronic nicotine delivery systems. The fees shall be assessed and collected with respect to each quarter of each fiscal year, and the total amount assessed and collected for a fiscal year shall be the amount specified in subsection (b)(1) for such year, subject to subsection (c).

"(b) ASSESSMENT OF USER FEE.—

"(1) AMOUNT OF ASSESSMENT.—The total amount of user fees authorized to be assessed and collected under subsection (a) for a fiscal year is the following, as applicable to the fiscal year involved:

"(A) For fiscal year 2021, $200,000,000.

"(B) For fiscal year 2022 and fiscal year 2023, the amount described in subparagraph (A), adjusted by the percentage change in the Consumer Price Index for all urban consumers (all items; United States city average) between 2021 and the applicable year.

"(2) DETERMINATION OF USER FEE BY COMPANY.—The total user fee to be paid by each manufacturer or importer of electronic nicotine delivery systems shall be determined for each quarter pursuant to a formula developed by the Secretary.

"(3) TIMING OF ASSESSMENT.—The Secretary shall notify each manufacturer and importer of electronic nicotine delivery systems subject to this section of the amount of the quarterly assessment imposed on such manufacturer or importer under this subsection for each quarter of each fiscal year. Such notifications shall occur not later than 30 days prior to the end of the quarter for which such assessment is made, and payments of all assessments shall be made by the last day of the quarter involved.

"(4) CALCULATION OF MARKET SHARE.—Beginning not later than fiscal year 2020, and for each subsequent fiscal year, the Secretary shall ensure that the Food and Drug Administration is able to determine—

"(A) the annual amount of total sales in the electronic nicotine delivery system market of the United States; and

"(B) the applicable percentage shares under paragraph (2).

"(c) CREDITING AND AVAILABILITY OF FEES.—

"(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the 'Food and Drug Administration—Salaries and Expenses' account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation.

"(2) AVAILABILITY.—Fees appropriated under paragraph (3) shall be—

"(A) transferred to the Centers for Disease Control and Prevention; and

"(B) available only for the purpose of paying the costs of carrying out section 317U of the Public Health Service Act.

"(3) AUTHORIZATION OF APPROPRIATIONS.—For fiscal year 2021 and each subsequent fiscal year, there is authorized to be appropriated for fees under this section an amount equal to the amount specified in subsection (b)(1) for the fiscal year.

"(d) APPLICABILITY TO FISCAL YEAR 2020.—If the date of enactment of the Providing Resources to End the Vaping Epidemic Now for Teenagers Act of 2020 occurs during fiscal year 2021, the following applies:

"(1) The Secretary shall determine the fees that would apply for a single quarter of such fiscal year according to the application of subsection (b) to the amount specified in paragraph (1)(A) of such subsection (referred to in this subsection as the 'quarterly fee amount').

"(2) For the quarter in which such date of enactment occurs and any preceding quarter of fiscal year 2021, fees shall not be assessed or collected under this section.

"(3) The amount specified in subsection (b)(1)(A) is deemed to be reduced by the quarterly amount for each quarter for which fees are not assessed or collected by operation of paragraph (3).

"(4) For any quarter in fiscal year 2021 following the quarter in which the date of enactment of the Providing Resources to End the Vaping Epidemic Now for Teenagers Act of 2020 occurs, the full quarterly fee amount shall be assessed and collected.".

(b) ENFORCEMENT.—

(1) IN GENERAL.—Section 902(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387b(4)) is amended by inserting ", or the manufacturer or importer of electronic nicotine delivery systems fails to pay a user fee assessed to such manufacturer or importer pursuant to section 919A by the date specified in section 919A or by the 30th day after final agency action on a resolution of any dispute as to the amount of such fee" before the semicolon.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the later of October 1, 2021, or the date of enactment of this Act.

(c) DEFINITION.—Section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387) is amended—

(1) by redesignating paragraphs (8) through (22) as paragraphs (9) through (23), respectively; and

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

"(8) ELECTRONIC NICOTINE DELIVERY SYSTEM.—The term 'electronic nicotine delivery system'—

"(A) means a tobacco product that is an electronic device that delivers nicotine, flavor, or another substance via an aerosolized solution to the user inhaling from the device (including e-cigarettes, e-hookah, e-cigars, vape pens, advanced refillable personal vaporizers, and electronic pipes) and any component, liquid, part, or accessory of such a device, whether or not sold separately; and

"(B) does not include a product that is approved by the Food and Drug Administration for sale as a tobacco cessation product or for another therapeutic purpose.".

By Mr. SCHUMER (for himself, Mr. HEINRICH, Mr. UDALL, Mr. PETERS, Ms. SMITH, Mr. CARDIN, Ms. HASSAN, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Mr. DURBIN, Ms. WARREN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. WYDEN, Mr. BOOKER, Mr. SANDERS, Mr. BROWN, Mr. BENNET, Mr. REED, Mr. WARNER, Ms. BALDWIN, Mr. CASEY, and Mr. MARKEY):

S. 3102. A bill to require the Bureau of Economic Analysis of the Department of Commerce to provide estimates relating to the distribution of aggregate economic growth across specific percentile groups of income; to the Committee on Commerce, Science, and Transportation.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3102

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 "Measuring Real Income Growth Act of 2019".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Economic inequality in the United States has increased dramatically during the 4 decades preceding the date of enactment of this Act, with fewer households taking home a larger share of the national income.

(2) While growth was once distributed relatively evenly across all individuals in the United States, research shows that economic gains are increasingly enjoyed by the most affluent. By contrast, the majority of individuals in the United States have seen income and wage growth significantly below what is suggested by national measures of output and income.

(3) The Bureau of Economic Analysis of the Department of Commerce (referred to in this section as "BEA") reports annual and quarterly estimates of gross domestic product (referred to in this section as "GDP") in the United States. These estimates are important measures of the overall size and health of the economy of the United States but do not describe how economic gains are distributed across the population of the United States.

(4) In a country of 325,000,000 individuals, top-line GDP numbers do not capture the full range of household economic experiences and may be misleading. For example, the real GDP grew more than 3 percent annually between 2003 and 2005, but the average income for ½ of all individuals in the United States fell during that period.

(5) Disaggregating economic growth by income groups will provide a more complete picture of how families in the United States are faring across all rungs of the economic ladder and whether economic growth is benefitting all individuals in the United States.

(6) Recent academic estimates of distributional growth show how much of the economic gains during the 40 years preceding the date of enactment of this Act have accrued to the top of the income distribution. Between 1980 and 2014, the average income of the top 1 percent of the income distribution grew 5 times as much as the average income of the bottom 90 percent of the income distribution and more than 9 times as much as the average income of the bottom ½.

(7) Official and timely estimates of distributional growth from BEA, reported alongside top-line GDP numbers, would enable Congress to better evaluate economic

policies that impact every individual in the United States.

(8) Efforts to address slow wage growth, stagnant incomes, and growing economic inequality require broadening the focus beyond GDP and obtaining metrics that better correspond to the experiences of all families in the United States.

SEC. 3. ESTIMATES OF AGGREGATE ECONOMIC GROWTH ACROSS INCOME GROUPS.

(a) DEFINITIONS.—In this section:

(1) BUREAU.—The term ''Bureau'' means the Bureau of Economic Analysis of the Department of Commerce.

(2) GROSS DOMESTIC PRODUCT ANALYSIS.—The term ''gross domestic product analysis''—

(A) means a quarterly or annual analysis conducted by the Bureau with respect to the gross domestic product of the United States; and

(B) includes a revision prepared by the Bureau of an analysis described in subparagraph (A).

(b) INCLUSION IN REPORTS.—

(1) IN GENERAL.—With respect to each gross domestic product analysis that is conducted on or after the date that is 1 year after the date of enactment of this Act, the Bureau shall include in the gross domestic product analysis a recent estimate of, with respect to specific percentile groups of income, the total amount that was added to the economy of the United States during the period to which the gross domestic product analysis pertains, including in—

(A) each of the 10 deciles of income; and

(B) the highest 1 percent of income.

(2) RECENT ESTIMATES.—With respect to each recent estimate that, under paragraph (1), the Bureau is required to include in a gross domestic product analysis, that estimate shall be the most recent estimate that is available on the date on which that gross domestic product analysis is conducted.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce such sums as are necessary to carry out this subsection.

(c) AUTHORITY TO SHARE INFORMATION WITH BEA.—

(1) IN GENERAL.—Subparagraph (B) of section 6103(j)(1) of the Internal Revenue Code of 1986 is amended by striking ''such return information reflected on returns of corporations'' and inserting ''such returns, or return information reflected thereon,''.

(2) APPLICATION OF SUBCHAPTER III OF CHAPTER 35 OF TITLE 44.—The provisions of subchapter III of chapter 35 of title 44, United States Code, relating to the confidentiality and disclosure of information shall apply to any return or return information acquired by the Bureau under section 6103(j)(1)(B) of the Internal Revenue Code, as amended by paragraph (1).

By Mr. DURBIN (for himself and Mr. LANKFORD):

S. 3103. A bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3103

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 ''Rural Hospital Closure Relief Act of 2019''.

SEC. 2. RESTORING STATE AUTHORITY TO WAIVE THE 35-MILE RULE FOR CERTAIN MEDICARE CRITICAL ACCESS HOSPITAL DESIGNATIONS.

Section 1820 of the Social Security Act (42 U.S.C. 1395i–4) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (B)(i)—

(i) in subclause (I), by striking at the end ''or'';

(ii) in subclause (II), by inserting at the end ''or''; and

(iii) by adding at the end the following new subclause:

''(III) subject to subparagraph (G), is a hospital described in subparagraph (F) and is certified on or after the date of the enactment of the Rural Hospital Closure Relief Act of 2019 by the State as being a necessary provider of health care services to residents in the area;''; and

(B) by adding at the end the following new subparagraphs:

''(F) HOSPITAL DESCRIBED.—For purposes of subparagraph (B)(i)(III), a hospital described in this subparagraph is a hospital that—

''(i) is a sole community hospital (as defined in section 1886(d)(5)(D)(iii)), a medicare dependent, small rural hospital (as defined in section 1886(d)(5)(G)(iv)), a low-volume hospital that in 2019 receives a payment adjustment under section 1886(d)(12), or a subsection (d) hospital (as defined in section 1886(d)(1)(B)) that has fewer than 50 beds;

''(ii) is located in a rural area, as defined by the Secretary, based on the most recent rural urban commuting area code (or its successor criteria) as set forth by the Office of Management and Budget;

''(iii) as determined by the Secretary, serves a patient population—

''(I) with a high percentage, relative to the national or statewide average, of individuals with income that is below 150 percent of the poverty line;

''(II) in a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act); or

''(III) that represents a high proportion, relative to the national or statewide average, of individuals entitled to part A or enrolled under part B of this title or enrolled under a State plan under title XIX;

''(iv) has demonstrated to the Secretary, at such time and in such manner as the Secretary determines appropriate, two consecutive years of financial losses preceding the date of certification described in subparagraph (B)(i)(III); and

''(v) submits to the Secretary, at such time and in such manner as the Secretary may require, an attestation that the Secretary determines to be satisfactory, outlining the good governance qualifications and strategic plan for multi-year financial solvency of the hospital.

''(G) LIMITATION ON CERTAIN DESIGNATIONS.—

''(i) IN GENERAL.—The Secretary may not under subsection (e) certify pursuant to a certification by a State under subsection (c)(2)(B)(i)(III)—

''(I) more than a total of 200 facilities as critical access hospitals; and

''(II) subject to clause (ii), within any one State, more than 15 facilities as critical access hospitals.

''(ii) STATE PETITION.—The Secretary may apply, with respect to a State, the limitation under clause (i)(II) by substituting a number that is greater than the number specified in such clause if the State petitions the Secretary, in accordance with a process established by the Secretary, to increase such number.''; and

(2) in subsection (e), by inserting '', subject to subsection (c)(2)(G),'' after ''The Secretary shall''.

By Mr. SCHUMER (for himself, Mr. PETERS, Mrs. MURRAY, Mr. REED, Mr. SCHATZ, and Ms. CANTWELL):

S. 3104. A bill to make technical corrections relating to parental leave for Federal employees; to the Committee on Homeland Security and Governmental Affairs.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3104

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 ''Federal Employee Parental Leave Technical Correction Act''.

SEC. 2. FAMILY AND MEDICAL LEAVE AMENDMENTS.

(a) IN GENERAL.—

(1) PAID PARENTAL LEAVE FOR EMPLOYEES OF DISTRICT OF COLUMBIA COURTS AND DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—

(A) DISTRICT OF COLUMBIA COURTS.—Section 11–1726, District of Columbia Official Code, is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to nonjudicial employees of the District of Columbia courts, the Joint Committee on Judicial Administration shall, notwithstanding any provision of such Act, establish a paid parental leave program for the leave described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (relating to leave provided in connection with the birth of a child or the placement of a child for adoption or foster care). In developing the terms and conditions for this program, the Joint Committee may be guided by the terms and conditions applicable to the provision of paid parental leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(B) DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—Section 305 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2–1605, D.C. Official Code) is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to employees of the Service, the Director shall, notwithstanding any provision of such Act, establish a paid parental leave program for the leave described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (relating to leave provided in connection with the birth of a child or the placement of a child for adoption or foster care). In developing the terms and conditions for this program, the Director may be guided by the terms and conditions applicable to the provision of paid parental leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(2) CLARIFICATION OF USE OF OTHER LEAVE IN ADDITION TO 12 WEEKS AS FAMILY AND MEDICAL LEAVE.—

(A) TITLE 5.—Section 6382(a) of title 5, United States Code, as amended by section

7602 of the National Defense Authorization Act for Fiscal Year 2020, is amended—

(i) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''(or, in the case of leave that includes leave under subparagraph (A) or (B) of this paragraph, 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''12 administrative workweeks of leave''; and

(ii) in paragraph (4), by inserting ''(or 26 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''26 administrative workweeks of leave''.

(B) CONGRESSIONAL EMPLOYEES.—Section 202(a)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(a)(1)), as amended by section 7603 of the National Defense Authorization Act for Fiscal Year 2020, is amended—

(i) in the second sentence, by inserting ''and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section'' before the period; and

(ii) by striking the third sentence and inserting the following: ''For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under subparagraph (A) or (B) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section.''.

(C) OTHER EMPLOYEES COVERED UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(a)) is amended by adding at the end the following:

''(6) SPECIAL RULES ON PERIOD OF LEAVE.—With respect to an employee of the Government Accountability Office and an employee of the Library of Congress—

''(A) in the case of leave that includes leave under subparagraph (A) or (B) of paragraph (1), the employee shall be entitled to 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be; and

''(B) for purposes of paragraph (4), the employee is entitled, under paragraphs (1) and (3), to a combined total of 26 workweeks of leave plus, if applicable, any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be.''.

(3) APPLICABILITY.—The amendments made by this section shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(b) PAID PARENTAL LEAVE FOR PRESIDENTIAL EMPLOYEES.—

(1) AMENDMENTS TO CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—Section 412 of title 3, United States Code, is amended—

(A) in subsection (a)(1), by adding at the end the following: ''In applying section 102 of such Act with respect to leave for an event described in subsection (a)(1)(A) or (B) of such section to covered employees, subsection (c) of this section shall apply and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (c)(2)(B) of this section. For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under subparagraph (A) or (B) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (c)(2)(B) of this section.'';

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

(C) by inserting after subsection (b) the following:

''(c) SPECIAL RULE FOR PAID PARENTAL LEAVE.—

''(1) SUBSTITUTION OF PAID LEAVE.—A covered employee may elect to substitute for any leave without pay under subparagraph (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) any paid leave which is available to such employee for that purpose.

''(2) AMOUNT OF PAID LEAVE.—The paid leave that is available to a covered employee for purposes of paragraph (1) is—

''(A) the number of weeks of paid parental leave in connection with the birth or placement involved that corresponds to the number of administrative workweeks of paid parental leave available to employees under section 6382(d)(2)(B)(i) of title 5, United States Code; and

''(B) during the 12-month period referred to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) and in addition to the administrative workweeks described in subparagraph (A), any additional paid vacation, personal, family, medical, or sick leave provided by the employing office to such employee.

''(3) LIMITATION.—Nothing in this section or section 102(d)(2)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(d)(2)(A)) shall be considered to require or permit an employing office to require that an employee first use all or any portion of the leave described in paragraph (2)(B) before being allowed to use the paid parental leave described in paragraph (2)(A).

''(4) ADDITIONAL RULES.—Paid parental leave under paragraph (2)(A)—

''(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing office;

''(B) if not used by the covered employee before the end of the 12-month period (as referred to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1))) to which it relates, shall not accumulate for any subsequent use; and

''(C) shall apply without regard to the limitations in subparagraph (E), (F), or (G) of section 6382(d)(2) of title 5, United States Code, or section 104(c)(2) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(2)).''; and

(D) in subsection (e)(1), as so redesignated, by striking ''subsection (c)'' and inserting ''subsection (d)''.

(2) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(c) FAA AND TSA.—

(1) APPLICATION OF FEDERAL FML.—

(A) IN GENERAL.—Section 40122(g)(2) of title 49, United States Code, is amended—

(i) in subparagraph (I)(iii), by striking ''and'' at the end;

(ii) in subparagraph (J), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(K) subchapter V of chapter 63, relating to family and medical leave.''.

(B) APPLICABILITY.—The amendments made by subparagraph (A) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(2) CORRECTIONS FOR TSA SCREENERS.—Section 7606 of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(A) by striking ''Section 111(d)(2)'' and inserting the following:

''(a) IN GENERAL.—Section 111(d)(2)''; and

(B) by adding at the end the following:

''(b) EFFECTIVE DATE; APPLICATION.—

''(1) IN GENERAL.—The amendment made by subsection (a) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

''(2) APPLICATION TO SERVICE REQUIREMENT FOR ELIGIBILITY.—For purposes of applying the period of service requirement under subparagraph (B) of section 6381(1) to an individual appointed under section 111(d)(1) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note), the amendment made by subsection (a) of this section shall apply with respect to any period of service by the individual under such an appointment, including service before the effective date of such amendment.''.

(d) TITLE 38 EMPLOYEES.—

(1) IN GENERAL.—Section 7425 of title 38, United States Code, is amended—

(A) in subsection (b), by striking ''Notwithstanding'' and inserting ''Except as provided in subsection (c), and notwithstanding''; and

(B) by adding at the end the following:

''(c) Notwithstanding any other provision of this subchapter, the Administration shall provide to individuals appointed to any position described in section 7421(b) who are employed by the Administration family and medical leave in the same manner, to the maximum extent practicable, as family and medical leave is provided under subchapter V of chapter 63 of title 5 to employees, as defined in section 6381(1) of such title.''.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(e) ARTICLE I JUDGES.—

(1) BANKRUPTCY JUDGES.—Section 153(d) of title 28, United States Code, is amended—

(A) by striking ''A bankruptcy judge'' and inserting ''(1) Except as provided in paragraph (2), a bankruptcy judge''; and

(B) by adding at the end the following:

''(2) The provisions of subchapter V of chapter 63 of title 5 shall apply to a bankruptcy judge as if the bankruptcy judge were an employee (within the meaning of subparagraph (A) of section 6381(1) of such title).''.

(2) MAGISTRATE JUDGES.—Section 631(k) of title 28, United States Code, is amended—

(A) by striking ''A United States magistrate judge'' and inserting ''(1) Except as provided in paragraph (2), a United States magistrate judge''; and

(B) by adding at the end the following:

''(2) The provisions of subchapter V of chapter 63 of title 5 shall apply to a United States magistrate judge as if the United States magistrate judge were an employee (within the meaning of subparagraph (A) of section 6381(1) of such title).''.

(f) TECHNICAL CORRECTIONS.—

(1) Section 7605 of the National Defense Authorization Act for Fiscal Year 2020 is amended by striking ''on active duty'' each place it appears and inserting ''on covered active duty''.

(2) Subparagraph (E) of section 6382(d)(2) of title 5, United States Code, as added by section 7602 of the National Defense Authorization Act for Fiscal Year 2020, is amended by striking ''the requirement to complete'' and all that follows and inserting ''the service requirement under subparagraph (B) of section 6381(1).''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted immediately after the enactment of the National Defense Authorization Act for Fiscal Year 2020.

By Mr. BRAUN (for himself and Mr. YOUNG):

S. 3105. A bill to designate the facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, as the ''Richard G. Lugar Post Office''; considered and passed.

S. 3105

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

SECTION 1. RICHARD G. LUGAR POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 456 North Meridian Street in Indianapolis, Indiana, shall be known and designated as the ''Richard G. Lugar Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Richard G. Lugar Post Office''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 457—CONDEMNING THE TERRORIST ATTACK AT NAVAL AIR STATION PENSACOLA ON FRIDAY, DECEMBER 6, 2019, HONORING THE MEMBERS OF THE NAVY WHO LOST THEIR LIVES IN THE ATTACK, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL INDIVIDUALS AFFECTED BY THE ATTACK

Mr. SCOTT of Florida (for himself, Mr. RUBIO, Mr. ISAKSON, Mr. PERDUE, Mr. SHELBY, and Mr. JONES) submitted the following resolution; which was considered and agreed to:

S. RES. 457

Whereas, on the morning of Friday, December 6, 2019, a second lieutenant in the Royal Saudi Air Force killed 3 sailors and wounded 8 additional individuals in a terrorist attack at Naval Air Station Pensacola;

Whereas the 3 victims killed in the attack—

(1) were sailors in aviation training at Naval Air Station Pensacola; and

(2) showed heroism and bravery in the face of evil as they ran towards the shooter, which saved lives;

Whereas Airman Mohammed Sameh Haitham of St. Petersburg, Florida, who was 19 years of age, served the United States with honor and distinction, having recently completed basic military training;

Whereas Ensign Joshua Kaleb Watson of Enterprise, Alabama, who was 23 years of age, served the United States with honor and distinction, having recently graduated from the United States Naval Academy;

Whereas Airman Apprentice Cameron Scott Walters of Richmond Hill, Georgia, who was 21 years of age, served the United States with honor and distinction, having recently completed basic military training;

Whereas the response of Naval Security Forces personnel and local law enforcement officials prevented the additional loss of life; and

Whereas the people of the United States—

(1) stand united around the community of Pensacola and the families and communities of the victims to support all individuals affected by the attack; and

(2) pray for healing and peace: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the terrorist attack of December 6, 2019, at Naval Air Station Pensacola;

(2) honors the sacrifice and memory of the 3 members of the Navy who lost their lives in the attack;

(3) recognizes the skill and heroism of the law enforcement officials, the members of the Armed Forces, and the first responders who came to the aid of others during the attack;

(4) commends the efforts of individuals who are working to—

(A) care for those who were injured during the attack; and

(B) investigate this horrific incident;

(5) extends its heartfelt condolences and prayers to the families of those who were killed in the attack and to all of the individuals affected in the community of Pensacola and in the United States; and

(6) pledges to continue to work together to prevent future attacks.

SENATE CONCURRENT RESOLUTION 31—RECOGNIZING THE IMPORTANCE AND SIGNIFICANCE OF THE 2020 CENSUS AND ENCOURAGING INDIVIDUALS, FAMILIES, AND HOUSEHOLDS ACROSS THE UNITED STATES TO PARTICIPATE IN THE 2020 CENSUS TO ENSURE A COMPLETE AND ACCURATE COUNT

Mr. SCHATZ (for himself, Ms. MURKOWSKI, Mr. PETERS, Mr. JOHNSON, Mrs. FEINSTEIN, Ms. COLLINS, Ms. HASSAN, Mrs. MURRAY, Ms. HARRIS, Ms. CORTEZ MASTO, Mr. SULLIVAN, Mr. BROWN, Mr. COONS, Mr. KAINE, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. BRAUN, Ms. KLOBUCHAR, Mr. MARKEY, Mr. CARPER, Mr. REED, Ms. HIRONO, Ms. ROSEN, Mr. KING, Ms. STABENOW, Mr. BOOKER, Mr. BENNET, Ms. SMITH, Mr. TESTER, Mr. WYDEN, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. DURBIN, Mr. JONES, Ms. CANTWELL, Mr. WARNER, Ms. DUCKWORTH, Ms. BALDWIN, Ms. SINEMA, Mr. HEINRICH, Mr. MANCHIN, Mrs. SHAHEEN, and Mr. MURPHY) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 31

Whereas the Constitution of the United States requires an actual enumeration of the population every 10 years, with the 2020 count beginning in remote Alaska in January 2020 and elsewhere in the United States in March 2020;

Whereas the decennial census is a responsibility of the Federal Government, mandated by section 2 of article I of the Constitution of the United States;

Whereas any individual who wants to help administer the 2020 Census should apply at 2020census.gov/jobs;

Whereas the goal of the decennial census is to count every person in the United States once, and only once, and in the right place;

Whereas the goal of the 2020 Census is to eliminate the undercounting and overcounting of specific population groups, problems that were apparent in previous censuses;

Whereas the 2020 Census is quick, safe, and easy to complete;

Whereas, under section 2108(b) of title 44, United States Code—

(1) the confidentiality of all personally identifiable information from the decennial census is protected from public disclosure for 72 years;

(2) the Bureau of the Census is prohibited from sharing any personally identifiable information from the decennial census with any other government agency, including law enforcement and courts of law, or any private entity, for any purpose; and

(3) the information collected through the decennial census is used for statistical purposes only;

Whereas the decennial census is a cornerstone of the representative democracy of the United States, as the data collected through the decennial census—

(1) is the basis for apportioning among the States seats in the House of Representatives; and

(2) is provided to the States for drawing congressional and legislative district lines;

Whereas complete and accurate census data will help ensure that resources for education, health care, rural development, workforce training, housing, transportation, and other matters are allocated fairly and accurately;

Whereas businesses use census data to guide investment in job-creating initiatives, such as the building of new production facilities, and in choosing where to locate new retail and service outlets;

Whereas, in 2020, responding to the census will be easier than ever, as the census form will be available online for the first time and households may choose to respond online, over the phone, or through the mail; and

Whereas a complete and accurate census requires the fullest possible participation from all residents of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) it is the civic duty of the people of the United States to help ensure that the 2020 Census is as accurate as possible;

(2) the Federal Government, State and local governments, civil society, businesses, religious institutions, libraries, and other national and local organizations should work together as partners to inform the public that the 2020 Census is safe, easy, and important;

(3) individuals who want to help administer the 2020 Census should apply for a job at 2020census.gov/jobs; and

(4) residents of the United States should plan to respond to the 2020 Census to ensure that all people living in a household in the United States, including young children, are included.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 4 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.