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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our Father, through these days of Lent, give us a continuous awareness of Your presence.

May each lawmaker remember Your promise to never leave or forsake us. Finding power in Your presence, give our Senators the ability to discover solutions to the problems that confront our Nation and world. May they strive to make a positive difference for all Americans, permitting Your light to illumine the way. Lord, provide our legislators with a new vision of faith and a fresh venture of hope as they seek creative ways to help a troubled world.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I would ask unanimous consent to speak for 1 minute as in morning business.

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

IOWA HISTORY MONTH

Mr. GRASSLEY. Madam President, this month is Iowa History Month. For Iowa History Month, I will probably give a few 1-minute speeches about the history of Iowa, but today I want to recognize the role Iowa's veterans have played in our history.

For instance, in the Civil War, Iowa sent over 75,000 soldiers to fight for the Union—the most per capita of any State. I have been saying ''the most per capita of any State'' because I thought that was the history, but I have heard other States also say the same thing for their States, so I want to be intellectually honest. But I am still proud of those 75,000 Iowans who fought for the Union.

Iowa has kept that tradition of service, and I often have the pleasure of meeting our veterans. Yesterday, I met an Iowa delegation for the Veterans of Foreign Wars. I participate in the Library of Congress project called the Veterans History Project. Accordingly, I have had the honor of helping preserve 31 interviews with Iowa veterans as part of the Veterans History Project. That has taken place over just the last 2 years, preserving the oral history of these Iowa veterans. So the Iowa Veterans History Project will have their stories for future generations to ensure that the service and the sacrifices of these Iowans are never forgotten.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

SUPPLEMENTAL APPROPRIATIONS BILL

Mr. MCCONNELL. Madam President, last week I described how Congress could quickly secure supplemental funding to combat the coronavirus. The way to secure these urgently needed resources with speed and certainty was to forgo partisan posturing, forgo micromanagement at the leadership level, and let the bipartisan appropriators do their work.

Since then, Senator SHELBY, Senator LEAHY, and their counterparts in the House have worked on bipartisan, bicameral discussions. Thanks to their good work, we are close. The funding legislation appears to be about at the 5-yard line. I hope to complete the legislation and deliver this funding this week. We are close.

In order to finish up, both sides will need to continue doing what has worked thus far and resist the temptation to impose any last-minute ideological demands. In particular, I have heard that the Democratic leadership may be contemplating a last-minute demand that this funding legislation also test drive some untried, untested, and controversial parts of their Medicare for All proposal that relate to the pricing of new drugs and innovations.

So, look, everyone agrees that the potential diagnostics, therapeutics, or vaccines that might come out of this new funding cannot only be available to the ultrawealthy. We all agree on that. Everyone agrees. We already have longstanding, tried-and-true procedures so the government can buy and distribute new medicines in scenarios like this to ensure accessibility. These mechanisms are already in place. There is no need and this is no time to begin experimenting with ideological proposals that could jeopardize research, development, and innovation. Like I said, the accessibility of treatments or vaccines is a priority for everybody, but before new technologies can be accessible, they obviously have to be available.

This is a moment to empower innovators, to incentivize innovators. It is a time to remove hurdles to innovation, not build new hurdles and create new uncertainty through ideological experimentation.

So I hope these rumors do not prove true. I am optimistic we will be able to close out the remaining questions and process this legislation in short order. This moment calls for collaboration

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

and for unity. Our bicameral, bipartisan talks have made great headway. It is time to give our public health experts and healthcare professionals the surge of resources they need at this challenging time.

S. 2657

Mr. MCCONNELL. Madam President, in the meantime, the Senate will continue considering an important package of comprehensive energy legislation. For the first time in more than a decade, we are looking at a thorough update to the laws governing innovation, security, and workforce development all across the American energy sector.

As Chairman MURKOWSKI has noted, 12 years is a long time. The demands we face in researching, producing, refining, storing, and protecting our abundant domestic energy have evolved a great deal since 2007, so it is high time for relevant Federal policy to evolve as well. I am grateful the chairman was willing to take on this important task, and I am glad she and Senator MANCHIN led their colleagues on the Energy and Natural Resources Committee through an overwhelmingly bipartisan process to produce this bill.

As I mentioned yesterday, the legislation aggregates 50 individual bills. It contains input from more than 60 Senators. It covers an exhaustive range of energy-related challenges, from power storage and renewable technologies to carbon capture and electrical grid cyber security.

It has earned the support of a similarly broad range of industry, advocacy, and research organizations. In one joint letter, the Bipartisan Policy Center, the American Nuclear Society, the Nature Conservancy, and 36 other signatories endorsed it as ''the culmination of extensive efforts to develop practical legislative solutions.'' That is the American Nuclear Society and the Nature Conservancy—that ought to tell you what you need to know about this bill. This is a bipartisan piece of legislation done right. This is how you take practical steps to build consensus on issues that affect every American in every State.

Around this time last year, you will recall we saw a high-profile example of exactly what not to do. The far-left edge of the House Democratic caucus rolled out a massive scheme to forcibly remake much of our economy and our society according to their radical top-down designs.

We all remember the Green New Deal—categorical bans on the most affordable forms of American energy, a dim future for millions of energy jobs, unprecedented Washington mandates on every subject from building codes to personal transportation. We all remember what happened next: This socialist fantasy did not stay confined to ideological fringe; it quickly grew into a broader rallying cry. When the Senate had the opportunity to vote on this wish list of central planning, only four—just four—of our Democratic colleagues could bring themselves to vote against it. That is quite a remarkable commentary on the state of our politics.

Experts estimated the Green New Deal could have cost our government more than the GDP of the entire world. The Green New Deal could have cost our government more than the GDP of the entire world. Instead, this bipartisan legislation will let us direct responsible and targeted investment in a smart way toward key energy priorities.

The Green New Deal sought to have Washington micromanage everyday life in this country to a degree that the 20th-century Socialists would have drooled over. Instead, this bipartisan legislation will create better policy and regulatory conditions for American workers, American innovators, and American job creators to actually thrive.

Speaking as the senior Senator from Kentucky, I know firsthand that many Americans in the middle of the country suffered badly during the Obama era because Washington bureaucrats decided American energy had to fit their ideological designs. The very last thing we want is to move backward and expand those errors exponentially with radical leftwing experiments that would make the last administration's War on Coal look like child's play.

What Kentuckians and all Americans deserve is for the Federal Government to make prosperity and domestic energy dominance easier—easier—not harder. They deserve investment and support to help the communities that have fueled this country for generations to prosper once again, and that is what this bipartisan bill will actually deliver.

I am proud to support this smart legislation. Clearly, I am not alone, since only three Senators voted against advancing the bill this week. So I would urge all of my colleagues to keep up their support, and let's see this package through to the finish line.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

ADVANCED GEOTHERMAL INNOVATION LEADERSHIP ACT OF 2019—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2657, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, today we vote to begin the consideration of S. 2657, which will serve as the vehicle for the American Energy Innovation Act. This is truly bipartisan energy policy. This innovative package will be the first comprehensive policy update in 13 years. It brings together the strong bipartisan work of the Energy Committee over the last year.

I would like to thank my friend and chairman of the committee, LISA MURKOWSKI, Republican from Alaska, for her leadership and partnership with me over the last 14 months to process these bills and form the basis of the energy package we will be turning to today.

Thanks to the members of the Energy and Natural Resources Committee for their contributions to the development of this legislation.

The American Energy Innovation Act draws from 53 bills from Members from both sides of the aisle, and 39 of those were truly a bipartisan effort. And 63 Members of the Senate have either sponsored or cosponsored a piece of this package.

It truly is a bipartisan product and one that I believe will benefit this country greatly. So far, we have had over 150 amendments filed, several of which are bipartisan, and there is no controversial issue that I know of. I am hoping that we can work together to incorporate some of those amendments from both sides of the aisle.

As it stands, the American Energy Innovation Act will advance the abilities of Department of Energy and the National Laboratories to deliver the much needed technology that American workers can then produce and export across the global marketplace. Not only will it further our ability to reduce greenhouse gas emissions from energy, transportation, industry, and buildings, but it will also enhance our cyber and grid security and maintain our competitive edge and role as a global leader.

We talk a lot—all of us do—about global climate, and when you think about global climate, then you think about our responsibility and what we emit into the air. For some reason, most people have been led to believe that power generation—whether it be coal-fired powerplants, natural gas-fired powerplants, or anything that has to do with fossil—is contributing all of the greenhouse gas emissions in the United States. That is just not true.

Let me give you the breakdown. Power generation contributes 27.5 percent of the greenhouse gas emissions.

Power generation is how you get your electricity—if it comes from a coal-fired powerplant, gas, or any other type of fossil.

Transportation is how we come and go back and forth to work and how we receive our goods. Whether it is going to be by car, by train, by plane, or by trucks, 29 percent of the responsibility for greenhouse gases goes to transportation.

The industry is where people work, where they make their living, provide for their family, whether it be in a small factory, a large factory, a small business, or a high-tech business. Industry contributes 22 percent of greenhouse gas emissions.

Commercial and residential, which is the building we are in today, which is the beautiful Capitol, and where we live—just the commercial and residential—are 11.5 percent responsible for greenhouse gases.

So you have to have an ''all in'' policy. One thing doesn't fit, and we don't have a silver bullet to fix everything. What we have done is this. You take all of those—power generation, transportation, industry, commercial and residential—and that represents 90 percent of all the greenhouse gas emissions. We are approaching—and, basically, this piece of legislation approaches—every one of those to reduce the greenhouse gas emissions.

If we all work together and pass this truly bipartisan, far-reaching, all-inclusive bill, it will make a world of difference in how we lead the rest of the world in reducing greenhouse gas emissions. That is what we are trying to do.

We do it through innovation. We don't do it through elimination. Elimination is not practical, responsible, or reasonable. The rest of the world will not follow, and, basically, we have to have baseload fuel. It has to be dependable, reliable, and affordable, but it has to be the cleanest in the world. That is what this bill does.

There is the other 9 percent. You say: Well, that is 90 percent; where is the other 10 percent? That is in agriculture. That is not in our jurisdiction, but they are working very hard in the Agriculture Committee to reduce their greenhouse gas emissions and their footprint. Everybody is doing their job.

I believe this package is well balanced, and many of my colleagues' priorities on both sides of the aisle have been met. This bill represents a critical step in the right direction. I encourage—I truly, sincerely encourage—all of my fellow Members, Democrats and Republicans, to vote yes today on the motion to proceed. Your children will thank us, and your grandchildren and generations after them will definitely thank all of us for doing our job today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CORONAVIRUS

Mr. SCHUMER. Madam President, as the number of confirmed cases of coronavirus in the United States continues to grow, Congress is taking swift action this week to provide our health experts, hospitals, healthcare providers, and State and local governments the funding they need. A bipartisan negotiation between appropriators in the House and Senate is very close to producing an emergency funding bill that will provide between $7 and $8 billion to respond to the coronavirus.

This is very close to the amount that I thought was appropriate when I requested it last week—$8.5 billion—and it is more than four or five times what the administration originally requested. I believe that if we had not pushed them, they would have been totally inadequate to the crisis, as they have been in preparation and planning.

The administration requested $2.5 billion, which was half, and only half of that was new funding. The rest came from pulling it out of other things, like Ebola, which is very much needed as well. The bill we put together here in Congress is far more appropriate and will actually address our country's short-term and medium-term needs. This is very, very good news.

I would like to compliment Democrats and Republicans, in the House and the Senate, for making efforts to come together and for being the adults in the room, while President Trump childishly exaggerates, underplays, points fingers of blame, latches on to conspiracy theories, and, most of all, doesn't lead. This is an example of where America needs leadership, and President Trump's lack of leadership is glaringly apparent to Americans.

Crucial legislation provides funding for very specific and timely needs. There will be $350 million for ''hot spots''—areas affected by the outbreak. There will be $500 million to procure pharmaceuticals, masks, protective equipment, and other medical supplies to distribute to States, local governments, and hospitals. There will be $100 million for community health centers and funding for training and beds. We are replenishing the CDC's Infectious Disease Rapid Response Reserve Fund so that it can respond quickly to local areas that experience an outbreak.

In total, there is over $950 million in funding for State and local governments to undertake the many activities they need to respond to the spread of the virus, surveillance for the coronavirus, laboratory testing, contact tracing to identify anyone who may have been infected by a person known to have the virus, infection control at the local level, and more.

This is only one piece of the bill. The rest of the bill will give desperately needed funds to CDC, HHS, USAID, FDA, and others to do vaccine research and development and much more. The funding level in this bill and the specific use very much reflects the needs of the country as healthcare professionals across America work to confront the spread of the virus.

I want to thank our appropriators on the frontlines: Ranking Member LEAHY and Chairman SHELBY in the Senate and Chair LOWEY and Ranking Member GRANGER in the House. While the Trump administration's response has been slow and halting, Congress has taken action. While President Trump is playing fast and loose with facts and blaming everyone not named Donald Trump, Congress is taking responsibility in acting like the adult in the room.

Democrats would like to see this emergency funding package passed through the Senate by the end of the week, and we will work with the majority to make sure that that happens. I urge all of my colleagues, in the interest of time, understanding the urgency of the matter, to help us achieve this goal.

Now, yesterday, Vice President MIKE PENCE and his team from CDC, FDA, and HHS met with the Democratic caucus to answer questions about the administration's response to the coronavirus. We appreciated their willingness to come to our caucus. They stayed. Unlike at some of the previous briefings, they stayed and addressed a lot of our questions. The only problem is they didn't have as many answers as we needed—answers the American people would have expected at this stage of the epidemic.

One of our top priorities at the moment is testing. We need to know who is infected in order to contain the spread of the virus and treat any American infected by the disease. We asked the administration about the availability of testing kits, but they could not answer how soon hospitals, medical labs, and public health centers would receive the tests and if they would have enough of them to do the amount of testing required fast enough. The best way to deal with testing is to let people do it onsite. Let them go to their local doctor, their local CHC, and get the test and get an answer quickly. Unfortunately, the Vice President and his team had no answers to that. It is a real problem. Our questions at the meeting yesterday should give the administration an urgency to figure this out as soon as possible.

I would also plead with President Trump to begin showing some leadership on the coronavirus. So far, the President's main concern has been to tamp down concern about the virus. He gives broad assurances that ''everything is under control.''

When you show up at your doctor's office because you think you might have the coronavirus and there is no test, he doesn't know what to do. He just says: Go home and don't go to work.

That is not ''everything under control,'' Mr. President.

If any member of his administration tells the President something optimistic, he repeats it and usually exaggerates it. The disease will magically disappear when the weather gets warm; a vaccine will be ready soon—all misstatements from President Trump.

In a televised meeting with government health experts and pharmaceutical experts, the President repeatedly failed to comprehend that a vaccine would take over a year to develop and test. This is the President of the United States during a crisis. He doesn't even understand the basic rudiments of what is going on. He suggested blithely that we could just use the influenza vaccine for the coronavirus, and he was quickly corrected by Dr. Fauci, one of our health experts. Twenty-four hours later, the President was claiming that pharma executives would speed up the production of a vaccine as a ''favor'' to him.

President Trump, people are sick. People are dying. This virus is wreaking havoc on the economy, and you look at it as a favor to you? It is not about you, Mr. President; it is about America and the crisis and what our Federal Government is doing to help.

The President saying it was a favor to him, stating such blatant mistruths, was a shocking demonstration of just how little the President listens, how little the President learns, and how little leadership he shows at a time when we desperately need leadership.

During a public health crisis of this magnitude, we need steady and confident leadership from President Trump. So far, it has been totaling lacking—unfortunately for America.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question occurs on agreeing to the motion to proceed.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Texas (Mr. CORNYN).

Mr. DURBIN. I announce that the Senator from Alabama (Mr. JONES), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 90, nays 4, as follows:

[Rollcall Vote No. 64 Leg.]

YEAS—90

Alexander	Fischer	Perdue
Baldwin	Gardner	Peters
Barrasso	Gillibrand	Portman
Bennet	Graham	Reed
Blumenthal	Grassley	Risch
Blunt	Harris	Roberts
Booker	Hassan	Romney
Boozman	Hawley	Rosen
Braun	Heinrich	Rounds
Brown	Hirono	Rubio
Burr	Hoeven	Sasse
Cantwell	Hyde-Smith	Schumer
Capito	Inhofe	Scott (SC)
Cardin	Johnson	Shaheen
Carper	Kaine	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Cortez Masto	Loeffler	Tester
Cotton	Manchin	Thune
Cramer	Markey	Tillis
Crapo	McConnell	Toomey
Cruz	McSally	Udall
Daines	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	Wyden
Feinstein	Murray	Young

NAYS—4

Lee	Schatz
Paul	Scott (FL)

NOT VOTING—6

Blackburn	Jones	Sanders
Cornyn	Klobuchar	Warren

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

ADVANCED GEOTHERMAL INNOVATION LEADERSHIP ACT OF 2019

The legislative clerk read as follows:

A bill (S. 2657) to support innovation in advanced geothermal research and development, and for other purposes.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I have polled the Members of the Energy Committee and now withdraw the committee-reported substitute amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The committee-reported amendment, in the nature of a substitute, was withdrawn.

AMENDMENT NO. 1407

(Purpose: In the nature of a substitute.)

Ms. MURKOWSKI. Mr. President, I call up substitute amendment No. 1407.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI] proposes amendment No. 1407.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the reading of the amendment be waived.

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

(The amendment is printed in the RECORD of March 3, 2020, under ''Text of Amendments.'')

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 1419 TO AMENDMENT NO. 1407

Mr. MCCONNELL. Mr. President, I call up amendment No. 1419.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Ms. ERNST, proposes an amendment numbered 1419 to amendment No. 1407.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To establish a grant program for training wind technicians)

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

SEC. 23____. WIND ENERGY WORKFORCE DEVELOPMENT.

(a) WIND TECHNICIAN TRAINING GRANT PROGRAM.—

(1) IN GENERAL.—Title XI of the Energy Policy Act of 2005 (42 U.S.C. 16411 et seq.) is amended by adding at the end the following:

''SEC. 1107. WIND TECHNICIAN TRAINING GRANT PROGRAM.

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a community college or technical school that offers a wind training program.

''(b) GRANT PROGRAM.—The Secretary shall establish a program under which the Secretary shall award grants, on a competitive basis, to eligible entities to purchase large pieces of wind component equipment (such as nacelles, towers, and blades) for use in training wind technician students.

''(c) FUNDING.—Of the amounts made available to the Secretary for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this section $2,000,000 for each of fiscal years 2020 through 2025.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 601) is amended by inserting after the item relating to section 1106 the following:

''Sec. 1107. Wind technician training grant program.''.

(b) VETERANS IN WIND ENERGY.—

(1) IN GENERAL.—Title XI of the Energy Policy Act of 2005 (42 U.S.C. 16411 et seq.) (as amended by subsection (a)(1)) is amended by adding at the end the following:

''SEC. 1108. VETERANS IN WIND ENERGY.

''(a) IN GENERAL.—The Secretary shall establish a program to prepare veterans for careers in the wind energy industry that shall be modeled off of the Solar Ready Vets pilot program formerly administered by the Department of Energy and the Department of Defense.

''(b) FUNDING.—Of the amounts made available to the Secretary for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this section $2,000,000 for each of fiscal years 2020 through 2025.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 601) (as amended by subsection (a)(2)) is amended by inserting after the item relating to section 1107 the following:

''Sec. 1108. Veterans in wind energy.''.

(c) STUDY AND REPORT ON WIND TECHNICIAN WORKFORCE.—

(1) IN GENERAL.—The Secretary shall convene a task force comprised of 1 or more representatives of each of the stakeholders described in paragraph (2) that shall—

(A) conduct a study to assess the needs of wind technicians in the workforce;

(B) create a comprehensive list that—

(i) lists each type of wind technician position available in the United States; and

(ii) describes the skill sets required for each type of position listed under clause (i); and

(C) not later than 1 year after the date of enactment of this Act, make publicly available and submit to Congress a report that—

(i) describes the results of that study;

(ii) includes the comprehensive list described in subparagraph (B); and

(iii) provides recommendations—

(I) for creating a credentialing program that may be administered by community colleges, technical schools, and other training institutions; and

(II) that reflect best practices for wind technician training programs, as identified by representatives of the wind industry.

(2) STAKEHOLDERS DESCRIBED.—The stakeholders referred to in paragraph (1) are—

(A) the Department of Defense;

(B) the Department of Education;

(C) the Department of Energy;

(D) the Department of Labor;

(E) the Department of Veterans Affairs;

(F) technical schools and community colleges that have wind technician training programs; and

(G) the wind industry.

(3) FUNDING.—Of the amounts made available to the Secretary for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this subsection $500,000.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank all of those who just voted for the motion to proceed to S. 2657. We have called up my substitute amendment, No. 1407, which now contains the full text of the American Energy Innovation Act.

We are moving through the process, albeit a little slowly here, but we are moving through the process. We now have more than 150 amendments that have been filed to the bill. Senator MANCHIN and I are working together with other Members to sort through potential votes on the bill. We are also working to see which ones might fit into a managers' package of easy, noncontroversial, worked-out proposals. I know everyone thinks that theirs is easy and that it has been worked out, and, of course, it is not controversial, but we have a handful of those proposals and are seeking additional ones.

I would remind Members that amendments require bipartisan cooperation, especially from those beyond the Committee on Energy and Natural Resources' jurisdiction. Those who are on the committee have had an opportunity to go through each and every one of these measures that we have in front of us and that have been incorporated as part of this American Energy Innovation Act. That input has been helpful and very, very positive as we have built these proposals. I know some folks are looking at much of this for the first time if they are not on the committee. They have ideas that are good and worthy, and we want to respect that process and incorporate them as appropriate and enhance this bill.

I want to have votes. The leader has said he wants to have an open amendment process. I want to have a managers' package, but it is entirely possible—we have seen it before—that the opportunity will be spoiled. I would just urge Members to be honest about how ready their proposals really are. Sometimes, they might not be as vetted as you think they might be, and they might need some additional work, but know that, as a committee, we stand ready to work with Members on those proposals to better enhance them.

I have taken the opportunity over the past couple of days to share with colleagues more about what our package includes—the result of this good work that we have done over the past year in working through regular order in our committee. Last night, I talked about title I, which focuses on innovation—the big, key buzzword here, ''innovation''—everything from energy efficiency and renewables to energy storage. We all talk a lot about energy storage—advanced nuclear and carbon capture, utilization, and storage. So there is a good focus on the innovation side of this bill.

This morning, I would like to highlight what is in title II, which is kind of our security title, and I put it in three different buckets. You have mineral security, which is critical to the supply chain. You have cyber security and grid security, which, again, are key to all operations of commerce and our economy. Then you have the economic security that comes with good jobs. The focus on the workforce is here as well.

Out of these three, I begin with mineral security, because we don't always associate these efforts with meeting our energy and our climate goals.

What we focus on within this bill is the development of new, clean technologies, but there is also a very important reality that we have to acknowledge, which is that meeting our energy and our climate goals will require a significant increase in our supply of critical minerals. The world is not producing nearly enough of almost all of them. Think about that. We are pushing and challenging those within our national labs and those within the private sector and are saying: Move us to these cleaner technologies—the world of renewables. Yet we have to build all of these things. Whether it is your smartphone or whether it is a wind turbine, we need to build them, and they require minerals—they require critical minerals.

If we are not producing them, where are we getting them from? More to the point, the United States is not producing nearly enough of almost any of these materials that we are talking about when it comes to how we move to clean energy sources. We are largely absent from the field, as countries—most notably, China—increasingly dominate long-term supply chains that will give them an almost insurmountable competitive advantage.

Consider a few of the numbers here. According to the World Bank, meeting the goals that have been set by the Paris Agreement would increase demand for battery storage minerals, like lithium, cobalt, and nickel, by 1,000 percent. Right now, nearly 70 percent of raw cobalt is coming from the Democratic Republic of the Congo, and over 60 percent of the processed cobalt used in batteries is controlled by China. Think about that. The United States has no capacity for battery-grade cobalt. That is the situation we are in right now. There is no capacity for battery-grade cobalt here in this country, and that is before the projected 600-percent increase in demand over the next 30 years.

Despite new development on State and private lands in Nevada and North Carolina, the United States only produces about one percent of the world's raw lithium and contributes about seven percent of the processed materials. Think about it—the cobalt that is so necessary and the lithium that we require for our batteries. The same goes for graphite, whereby 60 percent of mined graphite and 100 percent of the processed material is coming from China. We have some very promising reserves in my State of Alaska for graphite. Again, think about what this means when we are talking about solar panels, advanced batteries, and electric vehicles. What are they made of? It is not chocolate and candy canes here. If we want to compete in the industries of the future, we are going to have to do better. We will have to compete with China, particularly, and right now, we are at a disadvantage.

Last year, an expert from the Foreign Policy Analytics testified about China's domination of mineral markets and supply chains. For electric vehicles, China controls or has influence over 80 percent of the supply of rare earth elements. China also controls or has influence over 70 percent of the supply of graphite and graphene, 59 percent of the supply of lithium, 56 percent of the supply of vanadium, and 36 percent of the supply of cobalt.

Some of this is due to the production and supply chains in China. Some of it is as a result of extensive investments that China has made to acquire mines and mining interests around the world, most notably in places like the Congo. Yet this is the reality that we are facing right now—this ever-increasing reliance on and, therefore, vulnerability for these minerals that are so necessary to the investments that we will make.

It is not just China we are talking about here. Canada is well ahead of us. Just this week, Prime Minister Trudeau released the Canadian Minerals and Metals Plan, with the goal of ''being the leading mining nation,'' in part, because minerals are critical to clean energy technologies.

So while other countries are competing to lead in this space, what are we doing here in this country? How are we doing it?

Now, I want to give the administration credit in this space. They recognize the problem. They are acting on it. The President laid down an Executive order. I just visited with the Secretary of the Interior on their minerals analysis, but, really, the facts in front of us are pretty clear.

USGS tells us this every year: We are still a long, long way from true mineral security. Right now, we import at least 50 percent of our supply of 46 different minerals, including 100 percent of 17 of them.

This is like the Achilles' heel for us because we have effectively surrendered the front end of the supply chain, and then we wonder why we have such a hard time capturing any of the rest of it.

So our mineral subtitle will help put us on the right track. It is not an overnight cure-all; there is none. But it will enable the United States to increase the responsible production and processing of critical minerals. It will help us figure out what we have. It will help us develop alternatives and substitutes for the minerals that we lack, and that is an important part of this because, as much as it is important to have that secure supply here, we need to be pushing ourselves to recycle, to find the alternatives and the substitutes. That is key and folds into the first title, which is all about innovation and the technologies that will help us advance that but keeping and pushing on the R&D in that space.

Then, also, what we do within the bill is increase recycling to reduce the need for new supplies. So you have a focus on mineral security, but how that ties into innovation and how we can reuse, recycle, and develop alternatives is key.

Over time, our mineral subtitle will help America become a leader in growing industries like battery and renewable manufacturing, along with the jobs and the economic growth that they represent.

I think it also helps put the United States in the driver's seat to prevent supply disruptions that could quickly derail our efforts to deploy renewables, energy storage, EVs, and other technologies.

There is one thing our minerals subtitle will not do. It will not weaken laws that protect our lands and waters. Our bill continues to ensure that only responsible development is allowed to proceed.

I have heard some claim just as recently as yesterday that our bill will somehow weaken the environmental review process, but know that that is not accurate. That is simply wrong.

The United States, right now, has one of the slowest permitting processes in the world—in the world. Some years back we were dead last; we were actually tied with Papua New Guinea. We do not have a permitting process that is the envy of anyone. It is entirely fair to encourage agencies to do better, like their counterparts all around the world, by working smarter and more efficiently.

I also want to remind colleagues that we passed this same provision as part of our 2016 energy bill. Minerals were important enough to draw 85 votes back then, in 2016, so I would think that we would regard them as even more important now as our reliance and our vulnerability have only increased.

I want to thank Senator MANCHIN for his support on our efforts on mineral security and for his cosponsorship of the American Mineral Security Act. I was also glad to be able to combine his efforts on a bill that he called Rare Earth Element Advanced Coal Technologies. We have included that bill in our subtitle.

I also want to thank a number of members on the Energy and Natural Resources Committee—Senators BARRASSO, RISCH, DAINES, and MCSALLY—for their help in this very important subtitle.

Another subtitle within title II on security addresses the real and growing threat of cyber attacks. According to the 2019 Worldwide Threat Assessment of the U.S. Intelligence Community, China, Russia, and other foreign adversaries are using cyber operations to target our critical energy infrastructure.

We have already seen the real-world ramifications of cyber attacks on energy infrastructure. In December of 2015, Russian hackers cut off power to nearly a quarter of a million people in Ukraine. Two years later, Russian hackers infiltrated the industrial control system of a Saudi Arabian petrochemical plant and disabled the plant's safety systems. We can't let that happen here.

Our electric grid, which is composed of generation, transmission, and distribution resources, is a uniquely critical asset. Every sector of our economy depends on it. We know what the impact would be if there were a successful hack. It could impact homes, hospitals, banks, gas pumps, traffic lights, cell phone services. The consequences really go without bounds in terms of the devastation that could be wrought, particularly if power can't be restored for any meaningful duration.

So, working with the administration, we have seen some good steps to address this through the establishment of the Office of Cybersecurity, Energy Security, and Emergency Responses, also known as CESER, at the Department of Energy. I thank them for the leadership there. This office is really pretty busy preparing for and responding to more and increasingly sophisticated cyber threats.

Our innovation package builds on that effort through a bill called the PROTECT Act, which will enhance cyber security defenses of grid assets by providing incentives, grants, and technical assistance for utilities to invest in cutting-edge technologies.

The innovation package will also allow all utilities and power producers, especially those most vulnerable smaller utilities that have fewer resources, to continue investing in new technology that keeps their systems protected against evolving cyber threats.

This is important because we tend to focus on the big systems and what that impact might be, but for many, many, many around the country in our smaller, more rural areas, these are our smaller utilities that don't have the resources to really be as current or as protected as they want to be and as they should be in the event of any kind of cyber threat. So helping assist them is important.

We included language from Senator GARDNER to facilitate State energy security plans and public-private partnerships for grid security. We included Senator CANTWELL's Energy Cybersecurity Act, which puts programs in place for the DOE to effectively partner with industry and other Federal agencies.

Senator CANTWELL has been a real leader—when she was the ranking member on the committee and now—as she continues to focus on this issue, the very important issue of cybersecurity. So she has a good provision included in this bill as well.

The American Energy Innovation Act will help improve our national security in significant ways—again, through mineral security and protecting our electric grid from cyber attacks.

We recognize that these measures play a crucial role in supporting energy innovation and ensuring that its many benefits can be enjoyed by the American people.

There is more that I will take the time to outline at a later point, but I think it is important that, as Members consider what this energy provision allows for, it is pretty expansive. It is pretty expansive, and it is expansive because, again, we haven't seen an energy bill become law in 12 years, so it should be expansive, and it should focus on how we can help facilitate more of the ingenuity and innovation that will come forward from our universities, from our labs, from public-private partnerships, from those who are working every day with great ideas to help, really, transform not only our economy but our environment as well.

So it is more than innovation in the renewable space. It is innovation in the carbon space. It is innovation in the nuclear space. It is innovation when it comes to industrial emissions. It is innovation when it comes to efficiency.

With that innovation comes security, whether it be recognizing that we must do more to ensure that we have stable and secure supply chains through mineral security, through the security that comes with protection of our grids and protection from cyber threats, modernization of our grids, and, again, the security of the good jobs that come with a skilled workforce.

So there is much to talk about in this good measure. Again, I encourage colleagues, we are in an amendment

process. Come to us with your comments, your suggestions, your concerns. Let's work them out, but let's get an energy bill through the Senate, through the House, and signed into law by the President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRAMER). Without objection, it is so ordered.

NET NEUTRALITY

Mr. THUNE. Mr. President, 2 years ago at this time, we were hearing that the internet, as we know it, was going to disappear. On February 27, 2018, Senate Democrats sent a tweet warning that Americans would be getting the internet one word at a time. Why? Because the Federal Communications Commission had repealed heavyhanded, Obama-era internet regulation. If we didn't immediately undo the FCC's rules change, Democrats warned, the effects on internet access would be catastrophic.

Well, 2 years later, the internet, as we know it, isn't just still with us, it is flourishing. Broadband access has expanded; Americans are enjoying faster internet speeds; and we are implementing 5G internet technology across the Nation, including in more rural places like South Dakota.

It turns out the internet doesn't fall apart without the heavy hand of government. In fact, it thrives. That should be an important lesson for us going forward. Historically speaking, the Federal Government has taken a light-touch approach to internet regulation. The government largely stayed out of the internet's way, and innovation and creativity flourished, delivering nearly everything from Netflix to weather apps, to Uber. But in 2014, the Obama administration decided it wanted the Federal Government to start regulating the internet more heavily, and in 2015, the Obama Federal Communications Commission passed the Open Internet Order, which dramatically expanded the Federal Government's power over the internet in the name of net neutrality.

Now, you might not know it from Democrats' rhetoric, but net neutrality is a concept that enjoys broad support in both parties. I support net neutrality and rules that prevent blocking, throttling, or the paid prioritization of internet traffic. I don't think a major service provider should be able to block a small new startup, and I don't think Netflix should be able to pay to have its search results appear before anyone else's.

What the Obama FCC did in 2015 went far beyond net neutrality. In the name of keeping the internet open to everyone, the Obama FCC asserted broad new government powers over the internet using rules that were designed for telephone monopolies back during the Great Depression. This opened a whole host of new internet regulations, including price regulations.

Unsurprisingly, the FCC's move resulted in a decline in broadband investment as companies saw the possibility of burdensome new regulations headed their way. That was bad news for Americans, especially Americans in rural States like my home State of South Dakota.

Getting broadband to rural communities is already more challenging than installing broadband in cities or suburbs. The possibility of heavier regulations acted as a further disincentive to expanding access.

Fast forward to 2017, and the Federal Communications Commission, under Chairman Pai, voted to repeal the heavyhanded internet regulations passed by the Obama FCC. Democrats, as I already mentioned, responded hysterically, predicting that the internet, as we knew it, would disappear. Providers, they warned, would slow down internet speeds to a crawl and block access to desired content—except, of course, none of that has happened.

Here is what actually has happened. Broadband investment has rebounded. In 2018, private broadband investment rose by $3 billion. Broadband access is expanding. The FCC reports that in 2018, ''broadband providers, both small and large, deployed fiber networks to 5.9 million new homes, the largest number ever recorded.''

Internet speeds have increased.

The Nation is poised for widespread adoption of the next generation of internet, which is 5G. All of this despite light-touch government regulation or, perhaps more accurately, because of light-touch government regulation.

At a time when Democrats are pushing for government takeovers of everything from our healthcare to our energy choices, it is important to remember that a lot of times heavyhanded government involvement causes problems instead of solving them. Of course, there is a place for government regulations, but more government involvement does not automatically mean a better outcome. In fact, a lot of the time it means the opposite.

Giving the Federal Government more power over the internet not only didn't help anything, it actually discouraged the investment needed to ensure that all Americans have access to reliable, high-speed internet service. Lifting the heavy hand of government regulation, on the other hand, encouraged broadband investment, which is resulting in better internet access for more Americans.

If we want the internet to continue to thrive and serve as an engine of economic innovation and advancement, we should ensure that the Federal Government stays away from heavyhanded regulations.

I have spent years calling for a bipartisan net neutrality bill that would address concerns about blocking while codifying a light-touch approach to internet regulation. I am still waiting for a Democratic partner on that legislation.

While the current FCC has established a healthy approach to regulation, a different administration could return and, in the same way they did during the days of the Obama FCC, slow down internet advances like 5G and the expansion of broadband that is happening in rural communities across the country.

I will continue to work for bipartisan net neutrality legislation that ensures that the government will not weigh down the internet with unnecessary and heavyhanded regulations. I hope my Democratic colleagues will join me.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CORONAVIRUS

Mr. COTTON. Mr. President, yesterday the Senate passed my resolution to honor the life of Li Wenliang, the Chinese doctor who heroically tried to warn his fellow citizens and the world about the Wuhan coronavirus late last year. Dr. Li tragically fell victim to that very disease but not before he was victimized by his own government, the Chinese Communist Party. Li was 34 years old when he passed away of coronavirus on February 7. He had a wife, a young child, and another child on the way. His whole life was ahead of him, and now his wife is widowed, his child has no father, and his second child will never know his father.

As Li knew, when you become a doctor, you pledge to care for the sick and the dying—whatever the hardships, whatever the cost, whatever the risks to yourself. So when patients with a severe pneumonia began appearing in Li's hospital late last year, he sounded the alarm to fellow doctors, and the Chinese Communist Party responded with lightning speed—not to contain this epidemic but to intimidate Dr. Li and attack his reputation.

Local Communist goons paid him a visit a few days later, forcing him to retract his statements and apologize for so-called illegal behavior. China's state media piled on, denouncing Li and other whistleblowers as rumormongers who were spreading fear among the Chinese people.

That has been the pattern of the Chinese Communist Party's response to the coronavirus from the very beginning—first coverup and then catastrophe.

When Chinese internet users flooded social media with indignation following Dr. Li's death, their cries were

scrubbed from the internet by the Communist Party's army of censors.

When a Chinese human rights activist called for Chairman Xi to step down, he was detained and then disappeared.

When Wall Street Journal columnist Walter Russell Mead wrote a bracing article about the Chinese Communist Party's failure to contain the coronavirus, the Chinese Communists kicked three of the paper's reporters out of the country.

The Chinese Communist Party's deception has been so thorough that its rare moments of candor, however obviously helpful, have been quickly suppressed and punished.

When the number of reported infections spiked upward due to an improvement in data reporting, the party purged local officials who were likely responsible.

After Chinese scientists gave the world a headstart in developing a vaccine by publishing the disease's genome online, what happened? Were they given awards? Were they celebrated? No. Their lab was shut down the very next day. These scientists deserved awards. They deserved a medal. Instead, they were given a professional death sentence.

The Chinese people have suffered greatly from this coronavirus. They are, in fact, the first and the worst victims of their own Communist government. But now the whole world is suffering with them. Just as the Bubonic plague spread to Europe via traders on the Silk Road, the Wuhan coronavirus is traveling China's new Silk Road. It turns out that the Belt and Road Initiative exports not just China's money and Chinese debt but China's viruses as well as its repression. It threatens not only economies around the world; it threatens peoples around the world.

Right next door to China, Iran is suffering a devastating outbreak of the coronavirus. Birds of a feather flock together, I would have to add. The mullahs in Tehran have emulated the Chinese Communist Party's shameful response to coronavirus, first denying and then downplaying the outbreak until it was no longer possible to ignore the bodies stacking up in clinics, a mysterious sickness spreading through the Cabinet of Iran's Government itself.

Remember the suffering people in these countries when you hear triumphant, self-congratulatory messages coming from Chinese propaganda rags like Global Times and China Daily—or even the World Health Organization, which, I have to say, seems more interested in protecting the feelings of the Chinese Communist Party than protecting the health of people around the world. China's propagandists are reportedly hard at work on a book exonerating Chairman Xi for his negligent response to this virus.

The official line is that the coronavirus is contained and China is back to work, but don't believe it. Do not believe the hype. The Chinese Communist Party lied from the very beginning of this outbreak, and it is lying still. It is responsible for the scale of this virus outbreak around the world. This outbreak didn't happen in spite of the Chinese Communist Party's efforts to contain it; it happened because of the Communist system of government.

Three months later, we still don't know how many people have been infected or killed by coronavirus on the Chinese mainland. All we have are bogus statistics that just so happen to track perfectly—perfectly—with the Communist Party line day after day.

I will cite just one example. Barron's, the financial publication, discovered that the official number of deaths could be predicted perfectly in advance—in advance—in China using a simple mathematical formula. This coronavirus isn't just contagious and deadly; it is good at math as well—if you believe the Chinese Communist Party. But that doesn't just happen in nature. They are obviously cooking their books. It is not hard to see why. China's economy has ground to a halt. The Chinese Communist Party is desperate to restart it and avoid the first contraction in the last 30 years, whatever it may cost in lives of the Chinese people. If China is truly back to work, as the Chinese Communists claim, it is only because it has employed Communist tactics that evoke the worst horrors of Soviet communism, from Stalin's 5-year plans to Leningrad in 1943.

After shutting down almost half the country's factories to stop the spread of coronavirus, the Chinese Communist Party is opening them again, barely 1 month later. Investors around the world beware: That decision is motivated not by confidence but by desperation. It will almost certainly lead to more outbreaks as workers congregate on crowded subways and factory floors, all because the Chinese Communist Party mandarins, living safely behind armed guards and walls in Beijing, decided that hitting their growth target was more important than the peasants' lives.

When I first called for travel restrictions on China back in late January, Dr. Li was still alive and the coronavirus was, thankfully, far from our shores. Tragically, it is now a global disease, and we have to do all we can to arrest its spread.

The most vital thing China can do is still be fully open and transparent about the origins and extent of the coronavirus.

I say to the Chinese Communist Party: Stop hiding behind your fake numbers and politically correct bureaucrats at the World Health Organization. Let truly independent experts into Wuhan to investigate this virus. The United States has offered repeatedly—repeatedly—to send a team and would do so tomorrow if you would just have the humanity to let them in and help save your own people.

Finally, give those people the freedom to speak candidly about the disease that has devastated your nation. Do not stifle the next whistleblower, the next doctor or nurse who speaks up to save the lives not just of their own people but of the people around the world.

Here in America, only time will tell how this virus will run its course. We have many advantages, though, to help us in this fight. We have the world's best doctors, nurses, and healthcare professionals. As important, we live in a republic that protects the liberty of our citizens and gives every American the freedom to speak, to write, to dissent, to sound an alarm—loudly sound an alarm—when we see something that isn't right and we think we can make it right.

Tragically, for himself, for his family, for the world, Dr. Li Wenliang enjoyed no such freedom. Yet he still spoke up to try to save his neighbors and to save the world. For that he was punished, and now he has passed.

May he rest in peace, and may his memories inspire other selfless heroes who will speak truth and hold the Chinese Communist Party to account, no matter the cost.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ROMNEY).

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

BIPARTISAN BACKGROUND CHECKS

Mr. DURBIN. Mr. President, on average, we lose 100 Americans every single day to firearms.

Last week marked 1 year since the House of Representatives passed H.R. 8. It was a bipartisan bill. Both Democrats and Republicans supported it. The bill stood for a very basic proposition, and the proposition is this: Whatever your constitutional rights or God-given rights—if you make that argument—to a firearm might be, we as a society cannot allow people who are convicted felons or who are shown to be mentally unstable to legally buy firearms in this country. We are supposed to have background checks to make sure this doesn't happen. It turns out that more than one out of five firearms are sold in America without there having been background checks on the purchasers.

So H.R. 8, this bipartisan bill, passed the House to close the gaps in our background system. What kind of gaps are we talking about? We have terrible gun violence in the city of Chicago. Some of the critics of Chicago like to say: You have the toughest gun laws and the most gun deaths. Well, they don't tell you the whole story. Many of those guns start off not in Chicago and

not in Illinois but at gun shows in Northwest Indiana, where they are sold sometimes in volume without there being any background checks made on the purchasers.

It has been 1 year of nothing in the U.S. Senate in responding to this national crisis—not one thing. It is within the power of the majority leader, Republican Senator MITCH MCCONNELL, of Kentucky, to at least let us address the issue and debate it.

He has a majority. Nothing is going to pass here without Republican support. We know that. But don't the American people deserve a debate? One man, the Republican majority leader, says no. He styles himself as the Grim Reaper of the Senate. He takes pride in the fact that he has killed hundreds of bills passed by the House that will never, ever see the light of day in the U.S. Senate.

Well, I can tell the Senator from Kentucky that after attending so many funerals, after giving heartbreaking sympathy to the families of those who have lost their children and loved ones, after hearing about so many mass shootings—mass shootings that should shock our conscience—aren't we shocked when people just go to a movie theater in Colorado and are gunned down as they watch a movie? Aren't we shocked when a crowd in Las Vegas just wants to enjoy a country western concert and they are gunned down? Weren't we shocked at a high school in Florida or a first grade classroom in Connecticut when mass shootings take place?

What will it take, America? What will it take for this Senate, what will it take for this majority leader to realize enough is enough?

I believe in Second Amendment rights to bear arms for those who buy them legally, use them and store them responsibly, whether it is for self-defense, sport, or hunting. But none of the people who come to me and argue this issue are arguing for convicted felons and mentally unstable people to buy a firearm. We need them to stand with us and to stand with law enforcement, who are often the victims of these firearms, to make this a safer nation.

There are obvious gaps in the Federal gun laws that make it easy for felons, abusers, and mentally unstable people to get their hands on guns and hurt innocent people. Loopholes in the background check system, like the gun show loophole I mentioned and one I haven't mentioned—the loophole on the internet, where there is no real background check whatsoever—account for massive sales of firearms each year in the United States.

The House-passed Bipartisan Background Checks Act would close these gaps in the background check system. Around 90 percent of Americans support the proposals in this bill—90 percent of them. It is good enough for America, but not good enough for the Senate.

Obviously, the majority leader needs to be persuaded, and 90 percent of America is not enough. It is a commonsense, bipartisan step we should take, consistent with constitutional rights but consistent, as well, with common sense.

I can't explain why the Senate Republicans will not take up a bipartisan, House-passed bill that is so overwhelmingly supported, even by Republicans. There are literally hundreds of bills, which have passed the House of Representatives, gathering dust on the Senate desk, and this is one of them. These bills deal with issues like reducing the cost of prescription drugs, protecting the pensions of working Americans and retired Americans, securing our elections from foreign interference, and, of course, reducing gun violence. They all wait on the desk of the Senator who styles himself the Grim Reaper.

There have been too many excuses for inaction. There is plenty of time, as you can tell, on the Senate floor for us to roll up our sleeves and actually legislate, and when it comes to gun violence, the cost of inaction is devastating—100 Americans a day.

It is time for Senator MCCONNELL to call up H.R. 8, the Bipartisan Background Checks Act, and have this Senate actually debate an issue and actually vote on an issue that can make a real difference in America.

S. 2657

Mr. President, I will commend the majority leader and Senator MURKOWSKI of Alaska for doing something that is out of the ordinary. There is a bill pending before the Senate on the issue of American's energy policy. You see, last year on floor of the U.S. Senate—this deliberative body that has been honored throughout history for the great debates that have taken place here—last year, during the entire calendar year, the Senate considered only 22 amendments in the entire year.

I have served here for a while. I can never remember a time when there was so little activity on the floor of the U.S. Senate.

Well, I want to commend Senator MURKOWSKI. She has started us off this year, I hope, with an indication that things might change.

This Energy bill before us is going to be hotly debated. I am not going to agree with every provision, but that isn't required of it. What is required is to bring a measure forward, debate it, compromise where you can, and come up with the best product you can come up with.

Congress has not passed major energy legislation since the year 2009. Over 10 years have passed. Has the energy picture in America changed in 10 years? Of course. Has the environmental picture changed? We know it has.

President Obama, in 2009, in a stimulus package, included critical tax credits for renewable energy like wind and solar. This week's debate marks an opportunity to tackle a decadelong legislative slump on these issues.

The American Energy Innovation Act seeks to modernize our electrical grid, support research into advanced energy technology, and improve energy efficiency in buildings across America.

Through significant bipartisan effort, my colleagues have constructed a package that starts to address one of America's most pressing issues—energy for our future.

Although the bill contains provisions that support innovation and research at the Department of Energy, I have to say I think we can do more. We need more robust support for basic science research—the kind of research that costs too much and takes too long for private companies to undertake on their own.

Time and again, whether it is new medicine, new medical devices, or new energy policy, the Federal Government has shown the real leadership in basic research.

We are at risk of no longer leading the world in cutting-edge research because our generation is not adequately funding basic science. We are living off the achievements of previous generations. We are not leaving the world of our children and grandchildren better for the research we are doing today—at least not as much as we should. That is why I put forth an amendment to this bill to increase funding for the Department of Energy's Office of Science by 5 percent real growth—that is 5 percent over inflation—each year for the next 5 years.

This amendment will provide more than $43 billion over 5 years for basic research in energy technology and close a funding gap that has stunted some of DOE's most important projects.

Think for a moment about electric vehicles. Commonly now, their range of mileage is 200 to 300 miles. What if we doubled or tripled that number? Would it change the attitude of the public about using electric vehicles and reducing pollution? I think there is no doubt that it would.

This investment in research will pay off. It will strengthen the Energy bill and help move us into the 21st century in a leadership position where the United States should be.

While my amendment addresses one priority to enhance the American Energy Innovation Act, a larger question remains. It is fundamental and basic: How does this bill on energy address the existential threat of climate change? We should ask that about every bill that comes across the floor—certainly a bill talking about the future of energy.

My colleagues have worked to improve energy efficiency and fund innovation. I support both of those efforts. But this bill does not honestly and aggressively deal with climate change.

Unfortunately, facing the global threat of warming will require more than just faith and technology. Climate change impacts every sector of

American life. It is well past time that we deal with solutions that can promise our kids and grandkids a habitable planet.

According to the climatologist in my State of Illinois, as a result of climate change, Illinois faces higher temperatures and more frequent, intense rainfall than at any other time in our State's history. That is over 200 years.

Our farmers have seen it. Last year, increased precipitation between April and June literally crippled our farmers when it came to planting and left them, many times, with fields that were not productive.

We have seen it in the city of Chicago. In January, there were waves as high as 20 feet pummeling the Lake Michigan shoreline of Chicago and flooding our coastal communities.

During the summer, record temperatures in Chicago last year threatened the elderly with heat stroke and kept many kids behind doors. Even the Trump administration has seen it. Despite the President's denial of climate change, people within his administration spoke up.

In November of 2018, the ''Fourth National Climate Assessment'' reported that American economic losses could reach hundreds of billions of dollars by the end of the century as a result of climate change.

For decades, scientists have warned us about this threat, and now we can see it in our lives almost every day.

As the Senate considers energy legislation, we do the American people a great disservice by failing to seriously address climate change. That is why I have been working on an approach that I think has some promise.

Let's look back at history, to the 1930s. The United States faced a different existential crisis called the Great Depression. At that time, Franklin Delano Roosevelt established the Reconstruction Finance Corporation. This was an agency that issued low-interest loans and harnessed investment across the economy. The RFC, as it was known, became a critical lifeline for the U.S. economy, and its catch-all approach to investment spurred us into a recovery.

Though climate change represents a different set of challenges than the Great Depression, the RFC model shows us an example of a broad strategy needed to combat existential threats to our Nation. We need to take immediate action to decrease greenhouse grass emissions and limit human-induced global warming.

According to the EPA, in 2018, the United States emitted more than 5.2 billion tons of carbon dioxide—a 3.2-percent increase over the previous year. We are moving in the wrong direction.

Clearly, this administration's strategy of removing the United States from the Paris climate accord and skirting around climate change is one that is not helping us address this issue successfully and effectively. Tackling this issue requires an immediate reduction in carbon emissions, massive investments in resilience and clean energy technology, and a willingness to take this threat seriously.

Climate change makes the normal disasters in America that much worse. It increases their frequency and their intensity, and it is devastating to the most vulnerable people and businesses in America.

I support efforts like the bill before us—the American Energy Innovation Act—that take small steps toward addressing climate change, but this problem calls for a much larger commitment, not just by the Senate and the House and by the President, but certainly by the American people. We have it within our power, if we have the will, to deal with this challenge.

Research, technology, and a willingness to make a sacrifice for future generations is all it takes. We can put that package together on a bipartisan basis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CORONAVIRUS

Mr. SHELBY. Mr. President, the American people are apprehensive about the spread of the coronavirus in the United States and abroad, as we can always remember. Global financial markets are on edge. Both are resilient, but vigorous action, I believe, is needed to calm nerves, stabilize the situation, and get our arms around this crisis. I believe Congress must marshal the resources necessary for an aggressive, comprehensive, and swift response.

I am pleased to report to my colleagues this afternoon that we, with the House and leadership on both sides, have reached a bipartisan, bicameral agreement on an emergency supplemental appropriations package to do just that. The agreement provides a surge in funding at every level, as I have advocated for—local, State, Federal, and international—to meet the growing challenge that we face.

The total amount included in the package is $7.76 billion, a little under $8 billion. We arrived at that figure by going back to the agencies—the NIH, the Centers for Disease Control, and so forth. We asked: What do you need? What do you think you would need if this virus really spreads? We wanted to make sure that they had the tools and the resources and that we would not shortchange the American people in any way.

So the $7.76 billion, we have been told by the people who know, should be sufficient. We hope it is. Nearly 85 percent of this funding will be spent right here in the United States—85 percent. And $2.2 billion is for the Centers for Disease Control, which the Presiding Officer is very familiar with because it is located in Atlanta, GA, including, no less than $950 million—just short of a billion—to help States and local governments prevent and combat the spread of the virus.

Now, $836 million will go to the National Institutes of Health to, among other things, train healthcare workers on the frontlines and to develop diagnostics, therapeutics, and vaccines related to the virus. And $61 million will support the Food and Drug Administration's role in approving such products for the American people.

Now, $3.1 billion of this package is for the Public Health and Social Services Emergency Fund, among other things, to supplement the Strategic National Stockpile here; to develop and purchase diagnostics, therapeutics, and vaccines; to provide resources for community health centers; and to help hospitals and help systems adapt and respond if this crisis grows.

Another $300 million is made available for the purchase of additional diagnostics, therapeutics, and vaccines, should further need arise—in other words, a contingency.

Finally, to fight the spread of the virus abroad, which we have to do, $1.25 billion is provided to the State Department and USAID to continue their work with our international partners.

We have listened carefully to the agencies and the experts on the frontlines in crafting this package. Vice President PENCE has also been very helpful in this effort, and I appreciate President Trump's eagerness to sign this legislation.

I also take a moment to thank Leaders MCCONNELL and SCHUMER, Vice Chairman LEAHY of the Appropriations Committee, Chairwoman LOWEY, chair of the House Appropriations Committee, and Ranking Member GRANGER for all of us coming together to do the right thing for the American people.

We face this crisis together. We are fighting it together. Ultimately, I believe we will prevail together, but now is the time for action. The House will act first. All indications are they will pass it swiftly—this package. I hope so.

When this package arrives in the Senate, I would urge my colleagues to do the same so we can get help to those who need it and ease some of the anxiety stemming from this outbreak. I think we owe it to the American people to do no less.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. LOEFFLER). Without objection, it is so ordered.

CORONAVIRUS

Mr. LEAHY. Madam President, Chairman SHELBY just spoke. He and I

have worked so hard together on the Appropriations Committee on the emergency coronavirus supplemental request. I have always enjoyed working with Chairman SHELBY, and I am pleased we can announce that we have reached a bipartisan, bicameral agreement on an emergency supplemental to address the spread of the novel coronavirus and protect the health and safety of the American people. So I thank my friend Chairman SHELBY, Chairwoman LOWEY of the other body, and Ranking Member GRANGER for their cooperation.

I think one of the things I found during my time on the Appropriations Committee is that we tend to leave our labels at the door. We worked together. We did not see each other as Republicans and Democrats. We looked at each other as Members of the House and the Senate trying to get this done. I urge both the majority leader and the Democratic leader to move as quickly as possible, once the House acts today, to get this agreement to the President's desk.

As I said last weekend, there is no reason why we cannot and should not finish this bill this week and get it down to the President for signing. If we have to work Friday or even Saturday, let's get it done and get it done now.

Now, what the House of Representatives is debating today is vastly different from the $1.25 billion grossly inadequate proposal from the Trump administration that was sent to Congress just 9 days ago. This was so poorly thought out that both Republicans and Democrats said it made no sense.

Where President Trump's proposal would rob Peter to pay Paul by stealing hundreds of millions of dollars from funds meant to contain an ongoing Ebola crisis and take money from programs the American people rely on, like the low-income heating assistance program, LIHEAP, our agreement provides $7.8 billion in new emergency funding to address this crisis without raiding these important programs. We cannot just turn our backs on funding to address the ongoing Ebola crisis.

And millions of Amricans rely on programs like LIHEAP. I would invite any of those from the White House who think we do not need this heating assistance in places like my home state of Vermont, where just a few days ago it was 10 below zero.

Our agreement does not rob Peter to pay Paul. We are not stealing hundreds of millions of dollars from funds meant to contain an ongoing Ebola crisis but simply providing $7.8 billion in new emergency funding to address this crisis without raiding those important programs.

We also include a $500 million authorization to enhance the availability of telehealth services—something that could be so helpful in virtually every one of our States.

We also reject the President's extreme ''America First'' mantra that would include nothing for USAID to help contain the spread of the coronvirus abroad. Let's be realistic. At a time when communicable diseases are only an airplane flight away, that is a recipe for failure. If we can stop this before it gets to our borders, why shouldn't we work with other countries to do that? So, we instead provide $1.25 billion in new resources for the global health response, provide humanitarian assistance, and secure funding for emergency evacuations of U.S. citizens, if needed.

We provide $2.2 billion to support Federal, State, and local public health agencies to prevent, prepare for, and respond to the coronavirus. The funds will support laboratory testing and monitoring, infection control, and public health preparedness. Again, we are taking this completely out of politics and going to where our best people are who need the resources to address this crisis. I talked about some of the need for help with the Governor of our State, who is a Republican, and we worked very, very closely together. I applaud what he has been doing to prepare for this virus.

Our agreement is going to provide more than $3 billion for research and development of vaccines, therapeutics, and diagnostics to prevent or treat the effects of coronavirus. We are going to include provisions to ensure that vaccines developed with the support of Federal dollars—our tax dollars—remain affordable to those most in need. The taxpayers pay for it. They should not have to pay for it a second time because a large company wants to make a huge profit. In fact, we provide nearly $1 billion for healthcare preparedness, the procurement of pharmaceuticals and medical supplies and funding to support community health centers, which provide healthcare to so many in our underserved urban areas and rural communities.

We provide $61 million to the Food and Drug Administration to facilitate the development of new therapies and vaccines to combat the coronavirus but also to mitigate the potential medical supply chain interruptions.

Importantly, this agreement includes $7 billion in small business disaster loans. What is happening can really hit the small businesses, which are the backbone of America's economy. We have this money, the small business disaster loans, to help mitigate the economic impact of the spread of the coronavirus in the United States.

When we confront this widening crisis, it is important to remember that we are not doing it as Republicans or Democrats seeking to score political points in addressing this threat. It is not something for the Republican Party or the Democratic Party to deal with. We should deal with it as who we are. We are Americans, and we are U.S. Senators. One hundred of us have to speak to our own conscience. At times of crisis in our Nation's history, the Senate has proven its ability to be the conscience of the Nation and a steady guiding hand. That is what we have to do now.

I am pleased that the House measure does not include legislation related to extending FISA, the Foreign Intelligence Surveillance Act. We have had months to deal with that controversial legislation. It has no place on urgent funding legislation to combat the current health situation.

I am confident we can, once again, put aside partisan squabbles and help to lead our Nation forward. Taking up this agreement as soon as possible is the first step.

I will work with Chairman SHELBY. The two of us will work together to shepherd this bipartisan, bicameral agreement through the Senate and to the President.

I would note—and I will speak further on this later on—that there are an awful lot of members of our staffs, both Republican and Democratic, who have worked and worked and worked late nights, worked weekends, and worked on days off to get us here. I applaud the men and women who have done that.

I see my distinguished colleague on the floor, so I will yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMERICA'S TRANSPORTATION INFRASTRUCTURE ACT

Mr. BARRASSO. Madam President, I come to the floor today to address America's aging roads and bridges.

Our highways are in need of repair all across the country. In some places, we actually need to rebuild new roads. That is why I, along with Senators CARPER, CAPITO, and CARDIN, have introduced America's Infrastructure Act.

This bipartisan legislation is going to make a significant investment in our roads, in our bridges, and in our tunnels. It will fund our highways at historic levels.

These investments are critical, but just as critical is speeding up government's approvals for important road projects.

Last Congress, the Environment and Public Works Committee, which I chair, heard testimony about a highway project in my home State of Wyoming. The project took a decade—a full 10 years—to get the required permits—one after another after another—but then it only took a couple of months to get the project done. It is a project that is going to make our roads safer and more efficient, which was the whole desired effect of this project. It was held up because of 10 years of waiting for Washington permits. A decade to permit, months to build—any American with common sense knows that is absurd. America's Transportation Infrastructure Act cuts through Washington redtape so projects can get done faster, better, cheaper, and smarter. That is key.

We used President Trump's One Federal Decision policy as a model. It is a great plan, a great policy put forward by the President. Under the policy, the President has set a goal for his administration of completing environmental

reviews within 2 years. It is a goal I absolutely applaud. Our legislation will codify key elements of that policy into law.

The bill will streamline duplicative requirements by many different Federal agencies on the same project. The permitting process will be simplified and will occur faster.

Our bill also gives States increased flexibility—something States want. So Federal approvals can get moving and the project construction can get started sooner. It reduces the amount of paperwork needed from States to complete the projects. It is unacceptable that the Federal Government would hold up State projects and put drivers at risk. Washington should never prioritize paperwork, which is what Washington tends to do—prioritize paperwork over people's safety.

America's Transportation Infrastructure Act cuts redtape. It makes safety a top priority.

Our legislation is bipartisan, passing the Environment and Public Works Committee unanimously, 21 to 0.

President Trump called on Congress to pass the bill. He did it during his State of the Union Address last month.

This legislation is a win for the entire country. The time is now to pass America's Transportation Infrastructure Act so we can reduce the punishing and costly regulations and then do the important work of improving highway projects so that they can get built.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 8

Mr. MURPHY. Mr. President, I am coming to the floor today as we have just passed the 1-year mark since H.R. 8, the Bipartisan Background Checks Act, passed the House of Representatives. This is a piece of legislation supported by 90 percent of the American public. It is hard for anything to enjoy 90 percent support in this country these days.

The data shows us that this is a piece of legislation that, if enacted, would save lives. We have begged and pleaded for this piece of legislation to come before the Senate. I understand that there may not be 60 votes in the Senate to pass the exact piece of legislation supported by the House, but we could engage in a process of amendment, a process of compromise, and that could end up saving lives and getting a piece of legislation passed that is supported, as I mentioned, by 9 out of 10 Americans.

I have some remarks after what I expect will be an objection to my motion from the majority party.

I will ask unanimous consent of my colleagues that the Senate proceed to the immediate consideration of Calendar No. 29, H.R. 8, the Bipartisan Background Checks Act; I further ask that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. ENZI. Mr. President, reserving the right to object, if this unanimous consent were passed without a vote or even debate, that would become law. Passage of this request could infringe on the constitutional right of my constituents and many others across the United States. I believe firmly that would be the case and could even result in criminal charges against law-abiding firearms owners. So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. MURPHY. I am sorry to hear the objection. It is obviously not surprising. We have been waiting for a year for this body to act on the issue of gun violence. And though there are a range of measures that may actually be controversial, this is not one of them. This is not one of them.

It is really hard to find folks in America who object to the idea that somebody should have to prove that they are not a criminal, that they don't have a history of serious mental illness, before they purchase a firearm.

The fact is, the longer we wait, the more people die. There is no piece of legislation that is going to eliminate every single gun death in this country. In my State of Connecticut, when we passed the universal background checks law, we saw an immediate 40-percent reduction in gun homicides.

In Missouri, when they repealed their universal background checks law, they saw an immediate 25-percent increase.

That is the short-term immediate rate of return—both on the upside and the downside—you get when you take steps to ensure that criminals don't get guns or you take steps to make it easy for criminals to get guns.

Senator BLUMENTHAL is on the floor with me as well, and he will make remarks. I have been unable to persuade my colleagues, based on the data, that we should pass background checks—the data being the broad public support for the measure, the data being about the impact on people's lives that this piece of legislation would have.

I want to make the case that, just from the simple standpoint of humanity, we should care about listening to the American public and passing legislation that will reduce these numbers. This is heartbreaking. Some 39,000 people a year are dying from gunshot wounds, with 3,011 on average a month and 100 a day.

The majority of these are suicides, but the data tells us that by making it harder for people to buy guns who shouldn't have them because of a serious history of mental illness or because of their criminal background, you will have less suicides. Many of these are homicides, and many of these are accidental shootings. All of them are preventable by better policy.

Remember, this happens in the United States and nowhere else in the advanced-income world. It is not because we have more mental illness in the United States. There is no evidence of that. It is not because our kids play more video games in the United States. There is no evidence of that. It is not because we spend less money on law enforcement. There is no evidence of that. It is because this country is awash in illegal and dangerous guns. It is because we have made a choice to make it a lot easier for some to find a way to a lethal firearm to commit an act of violence.

Every single one of the 100 persons who die every day is attached to families and friends and neighbors. The data suggests that for everybody who is killed in a gun homicide, there are 20 other people who experience some kind of life-altering, diagnosable trauma because of it.

I want to tell you a few of these stories today—stories of people who over the last year have been among this statistic—40,000 people who died from gunshot wounds. In March 2019, 1 month after H.R. 8 got to the Senate, Shelby Verderosa was home with her 6-month-old daughter when she was shot and killed in Phoenix, AZ. As a new mom, Shelby ''was doing everything she possibly could to make sure her daughter had the best life,'' said her cousin. One month after H.R. 8 passed the Senate, she was shot and killed when she was home with her 6-month-old daughter.

Lamar Sharp was at a picnic in Kansas City in April—2 months after H.R. 8 got here to the Senate—when he heard gunshots. Instead of running away from the gunshots toward safety, he ran to save his friend's 2-year-old grandson, and he was shot three times. He died 5 days before his 32nd birthday, 2 months after H.R. 8 got to the Senate floor.

In May, 3 months after the background checks bill got to the Senate, three LGBTQ+ young people were shot in Detroit. Alunte Davis, Timothy Blancher, and Paris Cameron were known for being funny. They were known for being wildly charismatic. Police believe their sexual orientation and gender identity were factors in their murders.

A month later, 4 months after H.R. 8 got here to the Senate, Durelle Moxley was killed on Father's Day when a shooting broke out in his neighborhood. Durelle and his wife had three young children. His friends said:

He was really proud to be a father. He was pumped and he was really celebrating Father's Day.

In July, 5 months after H.R. 8 got to the Senate, 5 months after sitting on

MITCH MCCONNELL's desk, awaiting action, Julianna Carr was killed by her brother in a murder-suicide at a housewarming party in Katy, TX. She left behind a husband and two children whom she called her ''greatest loves.''

Jurnee Thompson was 8 years old when she was shot in August, 6 months after the Senate got H.R. 8—6 months of doing nothing on a bill with 90 percent public support. Jurnee was the 14th child to be shot and killed in St. Louis alone last summer. Her dad says losing her was ''one of the biggest fears of my life and now I'm living it as a reality.''

In September, 7 months after H.R. 8 showed up in the Senate and the Senate did nothing with it, Usher Hanns was 17 years old when he was shot and killed. He was a senior at Weaver High School in Connecticut. He was a member of Hartford's Proud Drill, Drum, and Dance Corp. His mom said he was ''a good son. He always made me smile. He's a joyful kid.''

Deirdre Zaccardi was murdered by her husband Joseph in Abington, PA, in October, 8 months after H.R. 8 got to the Senate. He also shot their three children, Alexis, Nathaniel, and Kathryn, before turning the gun on himself. The Abington police chief said their deaths were ''a horrific event no one should ever see.''

Nine months after H.R. 8 got here in November, Gracie Ann Muehlberger was shot by a classmate with a semiautomatic, untraceable ''ghost gun'' in Santa Clarita, CA. Hundreds attended Gracie's memorial service. Her friends described her as an ''independent spirit.''

In December, 10 months after the House passed H.R. 8—10 months of doing nothing with it here in the Senate—Sergeant Chris Brewster was responding to a domestic violence call in Houston. When he got there, he was shot by a suspect fleeing the scene. He was a devoted husband who loved making people laugh. Friends described him as ''wonderfully weird.''

In January, 11 months after H.R. 8 got to the Senate, Gregory Rieves was killed. He had retired after 22 years as a State trooper, a career that he called his dream job. He was killed in Illinois. His friends described him as ''the most gentle, kind-hearted person you could ever know.''

In February of this year, two sisters, Abbaney and Deja Matts, were shot by Abbaney's ex-boyfriend in a dormitory in Commerce, TX. ''I just want people to know they were fun,'' said their mom.

Just last week in Milwaukee, almost exactly a year since H.R. 8 came to the Senate, five people were shot on the campus of Molson Coors. People who went to work on a normal Wednesday and whose families will never get to hug them or tell them goodbye or hear their voices again were shot and killed in a workplace shooting.

Senator BLUMENTHAL and I are not going to give up. We are not going to give up because of what we have been through in Connecticut, having experienced and lived through the aftermath of the horrific shooting in Sandy Hook, but also because of what we see happening every single day in places we represent—murders that happen in Hartford and Bridgeport and New Haven, murders that happen in rural areas of our State, as well—accidental shootings, homicides, suicides. Nowhere else, other than in the United States, does this epidemic of carnage happen at this rate. It happens because we have made a choice. We have made a choice to let the gun industry run Washington, DC, to give them veto power over gun policy that has helped their bottom line, that has made gun company executives rich. But it has resulted in 40,000 people a year dying—100 a day.

I will continue to come to the floor and tell the stories of those who have been lost. I am deeply sorry that when we try to bring up unanimous consent requests to the Senate to have a debate or a vote on H.R. 8, we keep hearing objections.

We don't run the Senate. Democrats are not in charge. We don't get to set the agenda. MITCH MCCONNELL, Senator MCCONNELL, does; Republicans who are part of leadership do. All you have to do is bring this bill to the floor. Let's have a debate on an expanded background checks proposal.

I get that the version of the bill that passed the House might not have 60 votes here, but why don't we try to find common ground? Why don't we sit down and do what the Senate used to do and find compromise that makes the country a better place? The fact that we aren't even trying to find bipartisan agreement on a background checks proposal is absolutely heartbreaking, not just to me or to Senator BLUMENTHAL; it is heartbreaking to the survivors and the family members of the folks who aren't with us any longer. It is an insult to them that we are not even lifting a finger to try to make this country a safer place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to join my colleague and friend, Senator MURPHY.

First, let me thank him for his leadership. We have worked together as a team. We have been partners in this effort from the very first days of our elections, and we were together at Sandy Hook on the afternoon of December 14, 2012, when we saw and met many of the families who suffered that absolutely unspeakable loss in an unimaginable tragedy that haunts us both to this day.

Just this morning, as a matter of fact, I was with one of the dads, Mark Barden, who has turned his grief into tremendously positive work in our schools, forming an organization called Sandy Hook Promise, one of the numerous grassroots organizations that has grown in the wake of that tragedy. Of course, Brady existed before Sandy Hook, but afterward, there was Sandy Hook Promise and Newtown Action Alliance. Connecticut Against Gun Violence expanded, Moms Demand Action, Students Demand Action, Everytown for Gun Safety, Gifford—the list reflects the outrage and fear of the American public against this epidemic.

I am here to talk about an epidemic, a public health menace. Of course, we must do something to take effective action and do it promptly against coronavirus, COVID–19, which also reflects a threat to our health and safety. It has already killed Americans. It threatens to spread. There is a need for preparedness and honesty and truthfulness to the American public about the extent of the threat and about the need for action.

Gun violence today in America—just today and every day in America—kills more than 100 people. That number reflects only the fatalities. It is no measure of the people who are injured, sometimes crippled for life, and often emotionally damaged. It fails to reflect the families who suffer those losses and the trauma that affects children who are truly innocent bystanders to the drive-by shootings in downtown Hartford or Bridgeport or New Haven.

Literally, no community in America is immune from this public health epidemic, this menace that afflicts America unlike any other country in the world. Globalization has affected many public health threats, as we are learning about coronavirus. But America is unique in the magnitude of its gun violence epidemic, as my colleague Senator MURPHY has said so well.

The costs are not just in human lives and emotion. Even if you care nothing about the human condition, think about the dollars and cents—the costs, the medical care, and, of course, the talent and energy, the intelligence, the productivity that is lost literally every day in those 100 lives. There is no vaccine. There is no panacea. There is no magic cure for this epidemic.

The bill that brings us here today is just one piece of legislation, one tool that is vitally necessary, but it is only one step. It will not solve all of the problems of gun violence, but we know it will save lives. We know it from our experience in Connecticut. We know this enforcement mechanism will keep guns out of the hands of dangerous people.

It adds no new prohibitions. It imposes no new categories of people who are prohibited from buying guns. Those categories and those prohibitions are already in the Federal law. This background check expansion to all sales—not just federally licensed deals but private sales, sales on the internet—is simply a way to enforce the existing prohibitions, which were supported, by the way, by the NRA when they were passed decades of ago. It simply makes those prohibitions real.

I know, from my experience as a prosecutor over decades and as a State

attorney general, that the best laws on the books are dead letter if they are unenforced. That is really why 98 percent of the American people, the vast majority of gun owners, and even NRA members support this legislation. It is a simple, commonsense way to enforce existing prohibitions that keep guns out of the hands of dangerous people. It is the least we can do for those victims of gun violence whose images and voices and faces are with their families still and many of them with us every day.

We should be very clear—because this measure should not be oversold—that it will not alone solve the problem of gun violence. There are a variety of other measures. I have introduced the emergency risk protection order legislation that would enable law enforcement—local police or State and Federal law enforcement—to take guns away from people who are dangerous to themselves or others. That legislation would require a warrant, and it would enable the warrant to be eventually challenged in a court proceeding. It would provide due process, which would be particularly important in domestic disputes when an estranged intimate partner may have a gun or when there is suicide and self-harm is threatened. This has worked in Florida thousands of times, where it was passed most recently, and in Connecticut. Connecticut was the first in the Nation to adopt an emergency risk protection order, and it has worked.

Along with that law are safe storage measures. There is Ethan's Law, which was named after Ethan Song, who was lost to his wonderful parents, Kristin and Michael Song. Ethan was visiting a friend whose parents failed to store their gun safely, and in that unimaginable tragedy, he was lost.

Of course, there are also other measures, like eliminating sweetheart deals that provide unique and virtually absolute immunity to gun manufacturers. The Sandy Hook surviving families are seeking redress against the manufacturer of the gun that killed their 20 children and 6 great educators. They are overcoming the obstacles imposed by the law that provides that immunity to the gun manufacturers.

Assault weapons bans, ammunition background checks, and high-capacity magazines are a series of measures that we should consider. It is not that every one of them is necessary, but every one of them can help to save lives. Not one of them alone will prevent all of these fatalities.

The least we can do is debate H.R. 8, which has been language on the Senate floor now for a year without its being called for a vote. That is really unconscionable. I know we use that word ''unconscionable'' so frequently that perhaps it has lost its meaning, but if we have a conscience and if we have a belief and a conviction in the democratic process, we should at least give a vote to this measure that is lifesaving, that is supported by almost all of the American people, and that is opposed only by the NRA and a gun lobby that is diminishing in power. In fact, the NRA is crumbling from within because of a financial scandal and on the outside because its extreme, inflexible positions are untenable to an American public that sees the public health epidemic before us as a result of gun violence and says: Enough is enough.

There is a movement that will eventually prevail. Whether it will win in this session—because we have been blocked again from unanimous consent by our Republican colleagues—I don't know. I do know with certainty that it will prevail because these grassroots have grown and have created a movement. The students of Parkland have created a movement. The Sandy Hook Promise, the Newtown Action Alliance, Brady, Giffords, and others have created a movement. Like many movements and social causes in this country—the civil rights movement being the best example—this is fuel and power and is led by young people who are saying with the most passion of all: Enough is enough.

Every one of them and every one of us knows someone—a family member, a coworker, a co-student, a colleague—who has been affected by gun violence. Almost two-thirds of those 100 deaths every day are from suicide, so we know mental health has to be addressed and that we need to invest more in mental health diagnoses and treatments.

Again, mental health diagnoses and treatments alone are not a solution. I have long spearheaded and advocated for mental health parity—more treatment, more insurance coverage—but they alone will not solve the gun violence epidemic in this country.

The fact is that the States that have universal background checks, according to a recent study, have had 52 percent fewer mass shootings than the States that have lacked them. It makes sense. Background check laws mean that 80 percent of the firearms acquired for criminal purposes can be stopped from being sold by unlicensed sellers.

We in Connecticut have one of the strongest universal background checks on the books anywhere in the country. Yet we know guns have, really, no respect for State borders. They cross State borders with impunity. They cause deaths in Connecticut even if they have been manufactured elsewhere or have been sold in the South and have come via the Iron Pipeline to Connecticut or to New York or to New Jersey, which also has strong gun laws. This national public health epidemic demands a national—Federal—solution that protects our Nation.

The Odessa shooting just this past August serves as a tragic reminder of the steep price that inaction exacts. The Odessa shooter failed a background check, but then he turned right around after he failed that background check from a licensed dealer and bought an assault-style rifle in a private sale. That private sale was not covered by a background check, and seven more innocent people are dead as a result.

On December 14, 2012, I promised the parents who lost loved ones at Sandy Hook and other families that I would fight and do everything I could to make sure that no more parents would have to bury their children. I have worked tirelessly, along with others, like my colleague Senator MURPHY and many of us on this side of the aisle, on public health and safety measures that would stop gun violence. I have also worked with Senator GRAHAM on an emergency risk protection order proposal that has shown very serious signs of acceptance on that side of the aisle and even by the White House. So far, inaction has been the result.

Since that day, December 14, 2012, there have been 2,389 mass shootings, not counting the individual lives lost in Hartford or in the suburbs or in the rural areas. It is an equal opportunity public health epidemic. Like any epidemic, no one is immune. Over 2,000 times, families have had to wait, like the parents of Newtown, to see whether that morning's kiss goodbye would be the last. They have had to wait to see whether that last wave at the school door would be the final one. That really is unconscionable in the greatest country in the history of the world.

When I stood here in the months after 2012—in fact, in 2013—when we last voted on a universal background check bill, it was supported by a majority of my colleagues. There were 54 who voted for it, but it was not enough to reach the 60-vote threshold.

From the Galleries, I heard one of those parents shout ''Shame.'' He was right. Shame on my Republican colleagues then, and shame on them now if they defy common sense and the will of the American people by preventing a vote—simply a vote. That is what we are asking for—a vote on H.R. 8. A year has passed since the House voted and approved this bill. Shame on them—my Republican colleagues—if they stand in the way of saving lives. Shame on them if they allow the carnage to continue on our streets, in our neighborhoods, and in our communities, crippling families and tearing apart those communities.

The vicelike grip of the gun lobby is breaking, and there will be bipartisan collaboration. It will be the result of not my persuasion from speeches given on the floor but of the American people at the polls, because the ultimate court is the court of public opinion and because the ultimate voice here is that of the American people.

In the military, there is a saying: ''The enemy has a vote.'' Here, the enemies are the shooters, and the enemies are the opposers of these commonsense measures. We cannot allow them to have a vote. It is the American people who will vote, and they will hold accountable those colleagues who fail to be on the right side of this issue and on the right side of history.

I urge my Republican colleagues to rethink, to revisit, to reconsider their staunch, unyielding, inflexible opposition to even having a vote. To them, I say: Do your job. We are here to vote and save lives.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

BROADBAND ACCESS

Mr. WICKER. Mr. President, I call the Senate's attention this afternoon to a pair of bills that are critical to the deployment of broadband access across the United States and the worldwide race to 5G, which we, of course, hope to win and will win.

The first of these measures will ensure that telecommunications networks are safe and secure from foreign intrusion. The second bill, which I hope the Senate will take up and pass even today by unanimous consent, would help create highly accurate broadband coverage data that will help expand access to high-speed internet. Both of these measures are Commerce Committee priorities and are the result of extensive negotiations and work on a bipartisan and bicameral basis.

Our economic and national security depend on nationwide access to high-speed internet that is safe and secure. The threat of foreign espionage through our broadband infrastructure is real, and it stems directly from the Chinese tech firms, like Huawei and ZTE.

These companies are pawns of the Chinese Government. As a matter of fact, for all practical purposes, they are wholly owned entities of the Chinese Government, and they are putting on a full-court press to establish their footprint in wireless networks around the world and right here in the United States.

Huawei and ZTE receive massive subsidies each year from the Chinese Government, and it is really beyond dispute that they are doing the bidding of the Chinese Communist Party.

Some of our allies have come to realize this threat and have taken decisive action. I want to commend Australia, New Zealand, and Japan. They have all banned Huawei technologies from their networks.

I am grateful that the Trump administration has shown strong leadership on this issue.

Last year, the Department of Commerce placed Huawei on its Entity List, severely limiting its ability to do business with U.S. companies. That was a bold step, but, unfortunately, some of our networks had already been compromised by Huawei by the time the Commerce Department took action.

So last week, the Senate took a major step toward removing the Chinese threat by passing the Secure and Trusted Communications Networks Act.

This bill, which some refer to as the ''rip and replace'' bill, would rip out the Huawei equipment and replace it with reliable equipment that will not engage in espionage.

This legislation will lay the foundation to give strong financial incentives to U.S. firms to strip out their Huawei and ZTE technology and replace it with secure alternatives. It will also help small, rural telecom providers transition away from firms that are controlled by Beijing.

That bill is now on the President's desk, awaiting his signature, and it may be that he is going to wait until it can be joined by the Broadband DATA Act, which, again, I say can be passed by this body as early as this evening, when we adjourn.

In December, the Senate unanimously passed the measure, but because the House passed a slightly amended version of the bill yesterday, we need to act again today to get this bill across the finish line and on to the White House.

The Broadband DATA Act addresses the Federal Communication Commission's flawed maps, which the Presiding Officer and I have been so concerned about. Every year, the FCC spends billions of dollars to promote deployment of broadband across the United States. This funding is especially important for America's rural communication, which so often lags behind in broadband development. We have done a lot to close the digital divide, but an estimated 20 million Americans still lack access to broadband.

For years, Members from both parties have noted that the FCC's maps have overstated broadband coverage, thereby understating the problem. For example, for Mississippi, the FCC map claims that we have a 98-percent mobile broadband coverage—something anybody can say from experience is not true. It is far from true. Without accurate maps, the FCC cannot direct support to areas most in need.

The Broadband DATA Act will fix this problem by creating a new database of areas in need of service, requiring providers to submit precise data, establishing specific standards for data collection, and allowing crowd sourcing to encourage public participation in the process.

As a result, the Broadband DATA Act will also help target Federal funds toward those areas most in need of assistance. These steps will pave the way for more Americans across the heartland to exercise and to access high-speed broadband and to enjoy the economic opportunities that come with that.

Coupled with last week's passage of the ''rip and replace'' legislation, Congress has achieved an important victory for our country and national security.

In conclusion, I want to recognize the excellent work of my staff on the Commerce Committee, both the majority and the minority.

I want to thank my friend and ranking member, Senator CANTWELL, as well as Chairman PALLONE and Ranking Member WALDEN of the House of Representatives on the Energy and Commerce Committee, as well as the members of their staff. Their efforts have gotten us to this point, ready for the President to put a signature on these two very important bills.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BRAUN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUEST—S. 2590

Mr. BRAUN. Madam President, the discovery of thousands of fetal remains in Indiana at an abortionist's home last year horrified us all and highlighted a disturbing trend that Indiana has taken the lead in rectifying.

This bill is our chance to fix the problem nationally. I believe all human life deserves a dignified burial, and fetal remains deserve to be treated with respect, not as medical waste. Sadly, irreverence toward fetal remains, like Dr. Klopfer's grotesque collection, in our case, is not an isolated incident. For example, in 2015, a Minnesota hospital threw out the body of a stillborn baby with dirty laundry.

Indiana has led the way. Governor MIKE PENCE signed a law in 2016 protecting the dignity of fetal remains, upheld by the Supreme Court last year in Box v. Planned Parenthood.

This legislation, the Dignity for Aborted Children Act, builds on Indiana's success and provides guidelines for handling fetal remains and penalties for failing to respect the sanctity of human life, and it ensures that crimes like Dr. Klopfer's have consequences.

The bill would require abortion providers to dispose of the remains of unborn children just as any other human remains or to release the remains to the family, should the family wish to receive them. This bill does not tell anyone what to do with their body. It only holds human fetuses to a higher standard of dignity than medical waste.

Last week, this body could not agree to ban abortions after science tells us fetuses are capable of feeling pain. This body could not agree to ensure that babies born alive after botched abortions should receive the same standard of care as a baby born in a hospital.

At the very least, we should be able to agree to treat the remains of unborn children with the reverence befitting a

human life rather than as medical waste.

Given this, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2590 and the Senate proceed to its immediate consideration.

I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object, we have a serious public health crisis on our hands right now, and we expect it to get much worse. Right now, families across this country are actually looking to Congress to put partisanship aside and put their needs first and are counting on us to listen to experts and make decisions that are guided by science, not by ideology.

They need to know that our No. 1 priority and what we should be talking about is public health today.

Instead of discussing this harmful bill that will gut reproductive rights, put unnecessary restrictions on medical providers, and undermine medical research, which is an absolute nonstarter and the absolute last thing we should be doing right now, I think we should be focused on what families actually need us to be focused on, which is the coronavirus outbreak and what it means for them and what we are doing about it.

The news of this virus is spreading throughout the country. The deaths, the illness, and the confusion it has caused in my home State of Washington and elsewhere are beyond alarming. The Trump administration has fallen far short of its responsibilities to Washington State and to communities nationwide.

I am pleased Democrats and Republicans in Congress were able to put partisanship aside to hammer out the robust emergency supplemental funding agreement that was announced earlier today. It is an agreement that goes well beyond President Trump's totally inadequate request in order to actually meet the needs we are hearing about from the officials on the frontlines of this crisis, like reimbursing States and local governments that have shouldered the cost of this response so far or the need to support research so we can develop new treatments and diagnostic tests and vaccines and the need to make sure those are available to everyone.

This agreement helps us prepare for what is next by providing funding to shore up our store of medical supplies, support medical community health centers in underserved areas, and bolster global health and public health preparedness programs.

I am working to make sure we get that bill signed into law as soon as possible, and I will continue to follow it closely because experts have already made it very clear this is not going to be over soon.

While the funding is a great first step, we need to make sure it is not the last one. It is very critical that we continue listening to our health experts, providing needed resources, and preparing for what is next, including what this will mean for families' day-to-day lives and for people who can't take a day off work without losing a paycheck or don't have affordable childcare if a school closes or don't have health insurance or are experiencing homelessness.

I hope my Republican colleagues will think long and hard about what their priorities are in the midst of this and choose to refocus their energy on working with us to address the urgent issues of the day instead of distracting us from serious work and wasting time we don't have.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. BRAUN. Madam President, I think if we continue to make the argument with women's healthcare that it is mutually exclusive to consider that, and you define what we are talking about here—banning abortions where there is pain-felt capability or not trying to preserve the life of a baby born through a botched abortion—adding this as well: not treating the fetal remains with the dignity that they deserve—I think it is increasingly difficult to make the argument that we constantly hear about women's healthcare. They are not mutually exclusive. This is something that shouldn't be put into the category that it would impact any of that by putting this into effect.

I yield floor.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 3259

Mr. LEE. Madam President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. 3259 and the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, reserving the right to object, I am disappointed that my colleague would try to codify a policy that has been proven to cause extensive harm to the most vulnerable women and families around the world.

In the past 3 years, we have seen the global impact of this policy. Health clinics have closed, access to care has decreased, and lives are needlessly put at risk. When women in developing countries and other parts of the world don't have access to family planning and information they need for women's reproductive health, abortions actually increase rather than decrease. Research shows that by decreasing access to information about modern contraceptive options, abortion rates increase. This policy doesn't stop abortions; it only limits the resources that are available that prevent women from having unwanted pregnancies.

My Republican colleagues can call it whatever they want—the Protecting Life in Global Health Assistance policy, the Mexico City Policy—I call it dangerous and deadly. In fact, instead of protecting life, the global gag rule erects new barriers to critical health services, including reproductive health services, for people and communities who already have limited access to affordable, high quality healthcare.

Across U.S. global health assistance, we are seeing a breakdown in systems of health care provisions which disproportionately impacts the most vulnerable, hard-to-reach populations. In Uganda, mobile health teams that go into communities and provide sometimes the only health care available are being cut.

ABBEF, the International Planned Parenthood Federation member in Burkina Faso, was forced in 2017 to prematurely end its U.S.-supported pilot initiative to distribute contraceptives in secondary schools where there is a huge family planning need.

Marie Stopes International, MSI, received 17% of its donor income from USAID at the time the global gag rule was reinstated. These funds were exclusively used for voluntary contraception services and the loss of funding has impacted work with poor and marginalized communities most in need of accessing services.

Marie Stopes Ethiopia, with expertise in reaching remote communities, ended its U.S.-funded program providing vasectomies and tubal ligations to rural populations. No other organization has the technical skills and expertise to provide the same quality of service and choice.

Clearly this policy decreases care, increases abortions, and risks the lives of women around the world. And this is not about abortion, this is about controlling a woman's body and limiting her choices.

If we are actually going to get serious about improving women's health, we should be working to end the global gag rule.

Given the negative impact this policy has already had on so many women and families around the world, codifying it would just exacerbate those issues, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Madam President, it is disappointing that when we take a look at something that is controversial like abortion and we peel it back a layer further, we make it noncontroversial

by making the discussion about something that most Americans—the overwhelming majority of Americans—agree about, which is, regardless of how you feel about abortion, you don't necessarily want your government taking your taxpayer dollars and the taxpayer dollars of a whole lot of people who have very strong feelings against abortion and using those to fund organizations that either perform abortions or that engage in promoting or lobbying or counseling or referring in order to encourage abortions. The overwhelming majority of Americans don't want that regardless of how they feel about life.

This shouldn't be a controversial issue. It is a non sequitur. It is a straw man argument to suggest that this somehow limits anyone's options. It doesn't. In fact, it expands options of individuals by saying: We are not going to take your money at the point of a gun, which is what governments do at the end of the day when they take money, in order to spend it on something that—depending on how you phrase the question and which pollster you are talking to, it is either a sizable majority or a bare majority of Americans who find that morally problematic. But an overwhelming majority of Americans say that, no matter what, you shouldn't be taking all taxpayer money and then using that to fund abortion or abortion-related advocacy.

Last week, the Senate had a chance to adopt some measures that would protect the dignity of human life—not just unborn human life but also born human life, including babies who had been born alive following a failed abortion attempt. Unfortunately, due to a minority of this body, we lost the opportunity to enact those reforms.

Those colleagues opposed to these measures did so largely on the claims that they were, as they put them, anti-woman or anti-healthcare. They claim somehow that these measures interfered with what should be considered personal—the personal nature of healthcare between women and their doctors.

I could not agree more that healthcare is personal. It is, after all, about healing, preserving, and prolonging the life of a human being, the life of a person. In the case of a pregnant woman, it is about two persons, sometimes three. If it is a woman who is pregnant with a single baby, it is two persons with two beating hearts, two distinct sets of DNA, and two unique and eternally valuable, unrepeatable souls—two persons with equal dignity and worth. We ought to value both of them and provide opportunity and care and rights and protection to both.

In the spirit of our founding, we ought to affirm through our laws and through our taxpayer dollars the truth that every member of our society—every woman, every man, every unborn child—is entitled to the right to life and to the full protection of that right under the laws of the United States. Our healthcare ought to heal, preserve, and protect those lives. Unfortunately, many of our laws themselves permit and subsidize exactly the opposite of life in our country and even, tragically, abroad.

Congress allows and helps fund the most radical abortion policy in the Western world, enabling procedures that impose barbaric violence upon women and unborn children and ending the lives of hundreds of thousands of innocent babies in our Nation every single year. It allows our foreign aid money to go to organizations that fund and promote abortions overseas, taking the lives of thousands of innocent babies across the globe—especially, by the way, baby girls.

In some of these countries, abortions happen in much higher numbers to female babies precisely because they are female. Abortion is, in many cases, the knife's edge of sexism—the exact tool they use to denigrate women's equal dignity and value and worth and right to breathe.

In some of these countries, women don't even want the abortions. In some cases, these organizations force their own so-called enlightened values on them, pressuring these women to take their own children's lives whether or not they really want to. This form of cultural and imperialism is not pro-woman, it is not pro-child, and it is certainly not pro-healthcare. It is pro-sexism and pro-violence. And we must end it. Today, we can, through the passage of the Protecting Life in Foreign Assistance Act. This bill would permanently stop the use of our foreign aid money for funding or promoting abortions overseas.

We ought to uphold the equal dignity of women, whether born or unborn, in America and across the world, and we should treat their bodies with reverence and dignity and respect, the respect they deserve, not because any government decided to confer that respect upon them but because they exist. Today, we can choose that, too, through Senator BRAUN's bill, the Dignity for Aborted Children Act. That measure, as Senator BRAUN has explained, will ensure that aborted children's bodies are not treated simply as medical waste to be crudely disposed of and that they should instead receive a proper burial or cremation, just as we accord to all other human beings.

We have to support and value women and babies everywhere. In our laws and for our lives, we ought to uphold the dignity of each and every human person, regardless of race, sex, appearance, abilities, or age. The measures before us today—those I have outlined and those that have been proposed by Senator BRAUN—do just that, and we should support them for the very same reasons that we should pass them. They shouldn't be objectionable.

It is tragic that they have drawn an objection today. It is tragic that any American, much less any Member of the Senate, which calls itself the world's greatest deliberative legislative body, would object to these measures. After all, it is difficult to fathom how someone wouldn't want to protect babies. It is difficult to fathom why someone wouldn't be in favor of something at least protecting the conscience rights of U.S. taxpayers who don't want to see their hard-earned taxpayer dollars going to fund an operation, a procedure that they know is designed to end a human life—a human life that in many cases is deliberately ended because of the sex of the person whose life is being taken. This is tragic, it is unacceptable, and it shouldn't happen—not here, not on this soil, not on our watch.

We are not going to give up. The fact that we have endured these setbacks today, the fact that these well-conceived, non-objectionable pieces of legislation have drawn an objection today, doesn't mean this issue is going to go away. It doesn't mean these proposals are going to go away.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Madam President, I want to talk to the Senate for a few minutes about refrigerators and air conditioners. Thank the Lord for both of them. They make our lives so much better, especially in the Presiding Officer's home State of Mississippi and, certainly, in my home State of Louisiana.

Refrigerators and air conditioners and the like are able to keep people and things cold by using coolants or refrigerants, I think some people call them. I am going to call them coolants. Basically, I will not go into the chemistry and/or the physics, but when a coolant in liquid form is converted to a gas, it is called phase conversion. It absorbs heat. That is why you will hear people, including but not limited to repair women and repair men, talking about coolant for an air conditioner or coolant for a refrigerator. It is that coolant that keeps us and our food cool.

Years ago, we used to use a coolant called Freon. You probably have heard that term. It is seldom used today. There are some small occasions when it is used, but for the most part, we have decided Freon is not a good coolant, not because it doesn't work but because it is very, very harmful to our environment. So a number of years ago, people the world over, including the U.S. Government, said: OK, we are not going to use Freon anymore. We are going to use another coolant, which we generally refer to as hydrofluorocarbons. If you hear me use the expression HFC or the acronym HFC, that is what I mean.

So we went along and, instead of using Freon, we started using HFCs, hydrofluorocarbons. Then we discovered—and by ''we'' I mean that most of the scientists throughout the world came to realize that

hydrofluorocarbons or HFCs are not very good for the environment either. The people who made this decision, many of whom were American scientists, decided we need to develop a third type of coolant other than Freon and other than HFCs to run our air conditioners and run our refrigerators and protect our environment at the same time.

A few years ago, most of the countries throughout the world made this decision. The representatives of these countries got together and said: OK, you remember we decided to stop using Freon, and now we have been using these HFCs. Yet we have discovered these HFCs are also harmful, so we are going to agree—all of these countries said—to develop a third type of coolant that is not as harmful to our environment.

That is the direction in which the world is headed. Within 5, 10, 15 years, not only will Freon be eliminated, but so will hydrofluorocarbons because the rest of the world is going to be using a third type of coolant, which has been developed and is being developed as we speak.

There is just one problem. The United States has not agreed with those other countries. That is OK. That is our right to do it our way. But that presents yet another problem because in 5 or 10 or 15 years, we are going to look up, and we are going to be the odd person out. The rest of the world is going to be using this new technology, and we are still going to be using hydrofluorocarbons. We are going to be isolated, and it is going to cost our business community a lot of business, and it is going to hurt us.

I and Senator TOM CARPER—a fine American and a good man—have a bill. It is called the American Innovation and Manufacturing Act—the Senator and I call it the AIM Act—and we have a lot of support. At last count, we had 32 cosponsors—half Republican, half Democrat—and that number is rising as we speak. That is a third of the U.S. Senate. You can't get a third of the U.S. Senate to agree on much of anything except that they like ice cream, but for this august body, having 32 cosponsors is a big deal.

Let me also say that we have a lot of support from the business community. For example—and I will not read all of the groups that are supporting it—the Air Conditioning, Heating and Refrigeration Institute is supporting this bill. It is in charge of our refrigerators and air conditioners, and it is saying: Yes, we want to do this. The environmental community supports this bill. It is rare that we get both the environmental community and the business community on the same page, but mainly through Senator CARPER's intellect and charm, we have been able to do that.

As you know, we are in the process of considering an energy bill, and that energy bill is really an amalgamation of a lot of other bills that deal with energy that are going to be put together in one bill, ably handled by Senator MURKOWSKI. Senator CARPER and I want to take our bill—the AIM Act, the American Innovation and Manufacturing Act, which is supported overwhelmingly by the business community and by the environmental community—and add it to Senator MURKOWSKI's bill as an amendment, and that amendment has already been submitted. We have a lot of support for the amendment. The last time I looked, we had 28 cosponsors to the amendment, and once again, the business community and the environmental community are supporting it.

The Presiding Officer is probably thinking, OK, KENNEDY. What is the problem? This is interesting, but what is the problem here?

How can I put this? The problem is the way we operate. One person in the Senate can stop the entire Senate from ever voting on something, as we all know, and I am not going to go into the details. In some cases, that is not necessarily a bad thing. Our Founders intended the Senate to move carefully and slowly, but it is a bad thing, in my judgment, when it is used routinely to keep the Senate from having an up-or-down vote on something that is important to the American people.

I mean, the logical approach would be, OK, you don't agree with the amendment. That is why God made rollcall votes. Let's vote. You can vote yea or you can vote nay or you can jump the rail, but everybody gets to weigh in. That is why I was sent up here. My people sent me up here to debate and decide. They didn't send me up here to participate and delay in stultification. So that is my message today: Let my people vote.

Once again, I understand there are rare occasions on which a Senator feels so strongly about something that he or she can and should exercise his or her right to prevent the whole body from considering something, but it has become a routine political weapon. That is one of the reasons, in my judgment, that we don't get more done in the Senate.

I am not criticizing anybody. I am part of this body. If I am criticizing this body, I am criticizing myself. But doing nothing is hard because you never know when you are finished. We can do a lot more in this body, and I think we all understand that, and I think we can all agree with that. I think one of the reasons the Senate polls right up there with skim milk among the American people is that we don't get more done, and one of the reasons we don't get more done is that we are not allowed to vote.

Once again, I am not telling anybody how to vote, for our votes are sacred, but you can vote yea on my ideas and Senator CARPER's ideas, or you can vote nay, or you can not vote at all—you can jump the rail—but please let us vote.

I am not criticizing anybody. I am really not. I know we are together a lot, as the Presiding Officer knows, and we all know each other, and I can honestly say I like and respect every one of my colleagues in this body. I truly do. I may not agree with them, but I like and respect them, so my criticism is not personal. Yet our process here is a problem, which is my plea today to my colleagues: Please don't object to this amendment. Please. It doesn't mean you have to vote for it—you can vote against it—but please let the entire body have a vote because that is what democracy is supposed to be all about.

I yield the floor to my friend Senator CARPER.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I commend the Senator from Louisiana for his leadership and for his courage in not just helping to develop this proposal that we have offered in a legislative forum but in trying to make sure that it gets the debate it needs and the vote it needs on this floor.

For a couple of centuries, Members of the Senate would introduce legislation, and that legislation would be debated. Democrats and Republicans would have the opportunity to offer amendments to that legislation and to get votes on that legislation and on their amendments. We would hammer out a compromise in the Senate and eventually with the House and with whoever was President.

The Presiding Officer may remember an old movie called ''The Way We Were.'' That is the way we were, and we need desperately to get back to the way we were when we were the world's greatest deliberative body. A good way to get started on that path is by supporting the legislation that my friend from Louisiana and I have coauthored with the support of a broad coalition of Senators and with the support of the business community and the environmental community as well.

Our amendment, as Senator KENNEDY has described today, is identical to legislation called the American Innovation and Manufacturing Act. I am not a really big one for acronyms, but the acronym that the Senator has used is AIM, the AIM Act. It is currently supported by a bipartisan group of 32 Senators—16 Republicans and 16 Democrats. I would describe this as Noah's Ark, whereby, for every Republican, we add a Democrat and on and on and on. Even today, we are continuing to add sponsors and cosponsors to our bill and to this amendment.

This amendment, like the standalone bill, would save consumers money; it would create jobs; it would support economic growth; and it would help us to address the climate crisis. This amendment would authorize the EPA to implement a phase-down of the production and consumption of something called hydrofluorocarbons, known as HFCs, over the next 15 years. HFCs are used as coolants in refrigerators and air conditioners. They are

substances that help to make sure our air conditioners work and our freezers work and our refrigerators work, among other things, and that our chillers work.

Unfortunately, what came before the HFCs was bad for our ozone and our planet, and it created a big hole in the ozone layer of our planet. We figured out that it was not good. It turned out to be the refrigerants that we were using that were causing it. Scientists came along and said: Let's replace them. Let's get rid of those CFCs and replace them with something that doesn't give us a hole in the ozone layer.

Guess what. HFCs work. They do. They do a really good job at that. That is the good news. The bad news is these hydrofluorocarbons are 1,000 times worse than carbon dioxide as a greenhouse gas—1,000 times worse. So they are good on the one hand and are bad on the other hand.

So the scientists go to work again. Scientists in this country and businesses in this country go to work and ask: What can we do about this? They have come up with a replacement to replace the HFCs—1,000 times worse as a greenhouse gas than carbon dioxide.

We also have the opportunity, in using American technology, to put Americans to work in selling these products not just in America but around the world. American companies have invested literally billions of dollars to produce and sell the next-generation technology to replace HFCs. Our amendment protects those investments.

Again, the amendment is good for consumers, and I will explain why. The amendment drives the deployment of more efficient air-conditioning and refrigeration products and equipment. It reduces energy and upkeep costs as well. How much? What is it worth in terms of saving money for consumers? Apparently, the EPA has calculated it through its own economic analysis, and it has come up with a number that says that over the next 15 years, our legislation would save consumers $3.7 billion—not millions but billions of dollars.

Our amendment is good for American jobs. The chamber of commerce expects our legislation to result in the creation of 150,000 additional direct and indirect jobs in this country in the years to come—150,000 additional, good-paying jobs. Our amendment is good for our economy.

Our legislation is expected to improve the trade imbalance in chemicals and equipment by $12.5 billion, which is something we need to do, and it is expected to increase manufacturing output close to $39 billion over the next 7 years.

Oh, by the way—P.S.—our amendment is good for the planet we live on and the people who inhabit it. We will end up joining the rest of the world to phase out HFCs, which will help to avoid an increase of up to a half a degree Celsius in our climate, in our temperature on this planet.

All of these are win-wins. They are all win-wins. They are the reason that our legislation has such broad support from stakeholders. Our legislation is supported by an unlikely coalition. As Senator KENNEDY said, it is not every day that you find the lamb and the lion lying down together in their finding a common cause. Yet, in this case, there is a whole host of environmental groups, the U.S. Chamber of Commerce, the National Association of Manufacturers, and other business groups, a lot of Democrats, a lot of Republicans, and maybe one or two Independents. I mean, it is a great coalition, and it is one that I am proud of in my having worked with Senator KENNEDY to create. We do all of this with the broad support of this unlikely coalition.

Our legislation doesn't preempt the roles of States. With that said, I know that some of our colleagues have called for adding to this amendment new preemption authorities that would prevent States from addressing HFCs. My response to them is that there are reasons this is not an issue to be addressed at this time.

And as we have seen with TSCA and the California waiver for vehicle standards, this administration doesn't seem keen on following the law, and there is no guarantee that if we require EPA to phase out HFCs that the Trump EPA will do so in a timely manner or in a legally defensible way.

Allowing the States to act helps hold the Federal Government accountable. However, once a strong Federal program is in place, States will not need to act and will spend their resources elsewhere. We have seen this happen before with programs similar to the one this amendment would create.

I would like to add that many of my colleagues in this Chamber have stated that they support innovation to help achieve our climate and clean energy goals.

The Federal Government has many tools to drive innovation—many tools to drive innovation—Federal funding, Federal procurement, and also regulation.

There is a reason we have broad support from the business community. Businesses know that regulation will further drive innovation and U.S. investments. Without the regulations that would be created if this amendment were adopted, the United States will continue to lose global leadership in the production of HFC alternative technologies.

And let me just add a P.S. I know some people think climate change is a hoax; it is not real. My wife and some of her colleagues from the DuPont Company that she worked with for years traveled to Antarctica earlier this year. They spent a couple weeks down there, an incredible trip, learned a lot, and they came back and I said: How warm was it down there? She said it was in the thirties—rarely below, not above.

She came back about 5, 6 weeks ago. In the weeks since then, the record-high temperature in Antarctica, South Pole, hit 63 degrees. That record lasted for about a week, and it was replaced by a new record, 65. That lasted for about another week or two. That was broken by another record. I think it was 67 or 68 degrees—like that.

A piece of Antarctica about the size of the District of Columbia fell off into the ocean. Something is happening here. Something is happening here, and I think what it is, is getting to be pretty clear.

Here is the good news. The good news is we can address that concern, that problem, which is not a hoax, and we can do so in ways that create tens of thousands of jobs, billions of dollars in exports, all kinds of economic opportunity, innovation, and technology that we would celebrate, and we should celebrate.

We need to support this amendment. I just want to again thank my colleague for his leadership, for allowing me to be his wingman in this effort, and I look forward to garnering the support of a broad coalition of our colleagues. It is the right thing do. Let's do it.

The PRESIDING OFFICER. The Senator from Wyoming.

ABORTION

Mr. BARRASSO. Madam President, I come to the floor tonight to briefly discuss a message from the Chief Justice of the Supreme Court, Chief Justice John Roberts.

As you know, Chief Justice Roberts recently sat in the very chair, Madam President, in which you are sitting right now as he ably oversaw the impeachment trial.

In a very rare admonition, the Chief Justice of the Supreme Court this afternoon released a statement in response to statements made by the minority leader of the U.S. Senate, CHUCK SCHUMER.

The Senator, speaking outside the Court, across the street from this building, was at a protest while arguments were being heard inside the Court, and the comments made by Senator SCHUMER certainly appeared to threaten members of the Supreme Court.

The video clip shows Senator SCHUMER saying this. He said:

I want to tell you, Gorsuch. I want to tell you, Kavanaugh.

These are members of the Supreme Court, confirmed by the Senate. He said:

I want to tell you. . . . You have released the whirlwind, and you will pay the price.

''You will pay the price.''

Well, it can't be a political price because Justices serve for life. Either they die in office or they can resign, step down. There is no political price to be paid.

To me, this sounds like he is talking about a physical price, violence.

Now, SCHUMER told abortion rights advocates who were outside the Court these very things:

I [will] tell you, Gorsuch. I [will] tell you, Kavanaugh. You have released a whirlwind, and you will pay the price.

He goes on to say:

You won't know what hit you. . . .

You, members of the Supreme Court. He, the minority leader of the U.S. Senate, saying:

You won't know what hit you if you go forward with these awful decisions.

I believe these statements are outrageous; they are uncalled for; they are out of bounds; and on their face, they appear to invite violence against members of the U.S. Supreme Court.

Let me just read to you what the Chief Justice said today in his release. Chief Justice Roberts responded:

This morning, Sen. Schumer spoke at a rally in front of the Supreme Court while a case was being argued inside.

He goes on to say:

Sen. Schumer referred to two Members of the Court by name and said he wanted to tell them that ''you have released the whirlwind! And you will pay the price! You won't know what hit you if you go forward with these awful decisions.''

The Chief Justice continued:

Justices know that criticism comes with the territory, but threatening statements of this sort from the highest levels of government are not only inappropriate, they are dangerous.

He concludes by saying:

All Members of the Court will continue to do their job, without fear or favor, from whatever quarter.

That is the statement of the Chief Justice of the Supreme Court referring to the actions by the minority leader, the Senator from New York, CHUCK SCHUMER.

We cannot tolerate political violence or threats of harassment. We as a body, as a community, as a country should be looking to elevate our debates rather than lower them, which is what, in my opinion, the minority leader did today.

I hope the minority leader will think twice about comments like these in the future.

I yield the floor.

The PRESIDING OFFICER (Mr. BRAUN). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar Nos. 572 and 586; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that the President be immediately notified of the Senate's action; and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Thomas A. Bussiere

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Jacqueline D. Van Ovost

[NEW REPORTS]

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

DIGNITY IN AGING ACT

Mr. GRASSLEY. Mr. President, last night we passed by unanimous consent legislation to revise and extend for 5 more years the key programs that Congress established under the Older Americans Act of 1965. I cosponsored the final version of this measure, which passed our Chamber as a Senate amendment to the Dignity in Aging Act, H.R. 4334.

I want to take this opportunity to express my appreciation to Senator COLLINS for leading the bicameral negotiations that made this bipartisan compromise possible. I expect that the other Chamber will soon accept the changes we made to their version of this legislation, so that Congress can send the final version to the President's desk in fairly short order.

For over five decades, the Older Americans Act has made resources available to the Aging Network and States for services to the elderly and disabled. An example is the nutrition services program authorized under title III, which makes resources available for home-delivered meals, enabling the homebound to remain independent. This statute also helps older Americans live independently by supporting community-based services, making information about care options available to family caregivers, and supporting the Long-Term Care Ombudsman Program.

As I continue my 99 county meetings across the State of Iowa each year, I welcome the feedback and ideas I get from local residents to help make our communities safer and stronger for older Americans. I also want to take this opportunity to commend the members of the Elder Justice Coalition, as well as groups such as the Iowa Association of Area Agencies on Aging, for their efforts in this area. These organizations and their members deserve recognition for their continued work on behalf of the Nation's older Americans and their contributions to this year's Older Americans Act extension.

In a decade, all of our Nation's baby boomers will have reached the age of 65 or older, and this demographic shift creates new challenges for our communities. With this in mind, I am currently working with my colleagues on other bipartisan initiatives to improve the quality of life for older Iowans, including legislation that would extend the Elder Justice Act. As the former chairman of the Senate Judiciary Committee, I wrote the Elder Abuse Prevention and Prosecution Act to curb elder abuse and beef up tools and resources within local communities to help prevent financial fraud and exploitation of older citizens. For those Iowans who enjoy working and need to continue working to pay the bills, I have also championed legislation to strengthen age-related workplace discrimination laws.

Mr. President, as noted by the former head of the Iowa Association of Area Agencies on Aging, ''The Older Americans Act provides the foundation that allows Iowa to continue to be a great place to for Iowans to call home.'' I want to again thank my colleagues for working with me in a bipartisan way on this legislation to improve the lives of older Americans in Iowa and across the United States.

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20–09 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost $100 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 20–09

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Poland.

(ii) Total Estimated Value:
Major Defense Equipment* $75 million.
Other $25 million.
Total $100 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
Major Defense Equipment (MDE):
One hundred eighty (180) Javelin Missiles.
Seventy-nine (79) Javelin Command Launch Units (CLU).

Non-MDE: Also included are Basic Skill Trainers (BST), Missile Simulation Rounds (MSR), Battery Coolant Units (BCU), tool kits, modified 2-level maintenance parts, training, U.S. Government and contractor technical assistance, transportation and other related elements of logistics support.

(iv) Military Department: Army (PL–B–UDN).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 4, 2020.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Poland—Javelin Missile and Command Launch Unit

The Government of Poland has requested to buy one hundred eighty (180) Javelin missiles and seventy-nine (79) Javelin Command Launch Units (CLUs). Also included are Basic Skill Trainers (BST), Missile Simulation Rounds (MSR), Battery Coolant Units (BCU), tool kits, modified 2–level maintenance parts, training, U.S. Government and contractor technical assistance, transportation and other related elements of logistics support. The total estimated program cost is $100 million.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO ally and partner nation which is an important force for peace, political stability, and economic progress in Eastern Europe.

This proposed sale of the Javelin system will help Poland build its long-term defense capacity to defend its sovereignty and territorial integrity in order to meet its national defense requirements. Poland will have no difficulty absorbing this system into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Raytheon/Lockheed Martin Javelin Joint Venture, Orlando, Florida and Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale. However, the purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor(s).

Implementation of this proposed sale will not require the assignment of U.S. Government or contractor representatives to Poland.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20–09

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Javelin Weapon System is a medium-range, man-portable, shoulder-launched, fire-and-forget, anti-tank system for infantry, scouts, and combat engineers. It may also be mounted on a variety of platforms including vehicles, aircraft, and watercraft. The system weighs 49.5 pounds and has a maximum range in excess of 2,500 meters. The system is highly lethal against tanks and other systems with conventional and reactive armors. The system possesses a secondary capability against bunkers.

2. The Javelin Weapon System is comprised of two major tactical components, which are a reusable Command Launch Unit (CLU) and a round contained in a disposable launch tube assembly. The CLU incorporates an integrated day-night sight that provides a target engagement capability in adverse weather and countermeasure environments. The CLU may also be used in a stand-alone mode for battlefield surveillance and target detection. The CLU's thermal sight is a Forward Looking Infrared (FLIR) sensor.

3. The Javelin's key technical feature is the use of fire-and-forget technology which allows the gunner to fire and immediately relocate or take cover. The missile is autonomously guided to the target which allows the gunner the ability to reload and engage another target after firing a missile. The missile has a tandem warhead that is effective against armor threats.

4. The Javelin Missile System hardware and the documentation are UNCLASSIFIED. The missile software which resides in the CLU is CLASSIFIED.

5. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

6. A determination has been made that Poland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification.

7. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Poland.

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

NATIONAL ASSOCIATION OF AREA AGENCIES OF AGING,
January 31, 2020.

DEAR CHAIRMEN ALEXANDER AND COLLINS, RANKING MEMBERS MURRAY AND CASEY, CHAIRMAN SCOTT AND RANKING MEMBER FOXX: On behalf of the National Association of Area Agencies on Aging (n4a), which represents the country's 622 Area Agencies on Aging (AAAs) and is an advocacy voice for the more than 250 OAA Title VI Native American aging programs, we write today in strong support of the recently introduced bipartisan, bicameral legislation to update and reauthorize the Older Americans Act (OAA) through 2024.

The Supporting Older Americans Act of 2020, an amendment in the nature of a substitute to H.R. 4334, co-sponsored by Senators Collins and Casey, represents the diligent work of all of your Committee Members and staff to secure broad and bipartisan support to responsibly update a landmark Act that supports millions of older adults and caregivers in communities across the nation.

As you well know, the OAA is the cornerstone of the nation's non-Medicaid home and community-based services (HCBS) system, providing older adults with much-needed supports, including in-home care, congregate and home-delivered meals, adult day care, information and referral assistance, case management, transportation, legal services and caregiver support/respite.

n4a appreciates your recognition of what is already working in the Act, including its unique delivery structure and intentional emphasis on local flexibility.

We especially commend the bicameral and bipartisan work to include the following provisions in the amendment to H.R. 4334, as they are among the most important provisions in the bill and reflect many of n4a's policy recommendations, which we shared with Congress in March 2019.

We very much appreciate the annual increases in the authorized funding levels. A lack of adequate funding is the number one barrier our members face in meeting the needs of older adults and caregivers, and with the rapidly increasing numbers of older adults in every community, the bill's recommendations to increase core programs by seven percent in year one and six percent in subsequent years is an excellent starting point for appropriators to heed. Additionally, we are pleased that the bill the returns to a five-year authorization period, which provides greater stability and allows the Aging Network to focus on achieving the Act's goals, rather than divert time to advocacy to renew a law that works so well.

Part of any reauthorization is ensuring that the law remains clear in its direction, even as other systems or laws change over time. Section 118 is an excellent example of this, whereby the bill makes clear that Area Agencies on Aging can engage in emerging opportunities to serve greater numbers of older adults through non-OAA funding streams. Examples include contracts with health care payers to provide meals or transportation to clients; establishing private-pay programs to enable AAAs to provide services to those who can afford to purchase OAA-like services when OAA resources are limited or unavailable; or similar mechanisms that serve the goals of the Act while operating outside of it. The bill also makes clear the role of the Assistant Secretary on Aging to continue encouraging and training the Aging Network on these matters of business acumen, innovation and changing models of health care and social services.

We also commend the Title VI Native American aging program provisions. By allowing the Administration on Aging to create demonstrations around a broader array of Supportive Services than most Title VI aging programs can currently provide and includes increased funding to do so—the bill will help tribes build capacity and better meet the needs of the elders they serve.

By including a robust new research and demonstration authority for the Administration on Aging (AoA) in Title IV, we appreciate your work to create a research and evaluation center in Sec. 127 focused on promoting and coordinating research and evaluation activities to enhance performance, develop new models and produce data-driven assessments of the value of the OAA programs. While we are disappointed that these activities lack a specific funding authorization, we are pleased that lawmakers acknowledge the importance of these activities and the need to create a dedicated entity focused on them.

While a smaller measure, eliminating a 10 percent cap on serving grandparents and other older relative caregivers under the Act's Title III E National Family Caregiver Support Program is also important to n4a members. Eliminating this arbitrary cap reflects the growing realities of the opioid epidemic and the need for sufficient state and local flexibility to serve these older caregivers who face uniquely challenging caregiving burdens.

The research base revealing the negative health outcomes from social isolation and loneliness continues to grow and increasingly documents the risks to the health and well-being of older adults. n4a appreciates the bill's thoughtful addition of language in multiple places in the Act to recognize the challenge we face, as well as the fact that many core OAA programs already address social isolation and promote social engagement.

n4a requested a minor change to ensure that Area Agencies on Aging have access to a state's cost-sharing policy or guidance. Section 212 of the bill also accomplishes this.

We will not detail the many other provisions in the bill—most of which we support or take no position on—but will again reiterate our thanks that this final product reflects our members' concerns and realities. Congress was diligent in soliciting and considering the recommendations of a broad array of constituencies and organizations during this reauthorization process.

Thank you for your leadership in crafting an OAA update that ensures that the Act's innovative, efficient programs enabling older Americans to live at home and in their communities for as long as possible continues to be a lifeline in communities across the country.

We urge the Senate and House to act swiftly to approve the Supporting Older Americans Act of 2020, H.R. 4334, and send it to President Trump for his signature. The stability that a finalized and current OAA reauthorization provides is critical to ensuring that the millions of older adults and caregivers served by the OAA can continue to live with dignity and independence in their homes and communities for as long as possible. Should you have any questions, please feel free to contact me or n4a's policy staff at 202.872.0888.

Sincerely,

SANDY MARKWOOD,
Chief Executive Officer.

MEALS ON WHEELS AMERICA,
January 30, 2019.

DEAR CHAIRMEN ALEXANDER AND COLLINS AND RANKING MEMBERS MURRAY AND CASEY: On behalf of Meals on Wheels America, the nationwide network of community-based senior nutrition programs and the individuals they serve, we write to endorse the ''Supporting Older Americans Act of 2020.'' This legislation would amend H.R. 4334, the Dignity in Aging Act that passed by voice vote in the House last fall, and reauthorize the Older Americans Act (OAA) for five years. We commend you for your leadership and hard work to reach this bipartisan, bicameral agreement and urge unanimous passage as soon as possible.

Since 1965, the OAA has been the primary piece of federal legislation focused on establishing, coordinating and strengthening home- and community-based social and nutrition services for adults 60 and older and their families. OAA services like Meals on Wheels, transportation, caregiver assistance, senior employment and training and elder rights protection are just some of the vital functions the OAA provides to more than 11 million seniors annually.

As you and many of your colleagues know firsthand, OAA services and supports—including the three nutrition programs authorized under Title III of the Act—help keep our nation's most vulnerable, isolated and food insecure seniors healthier and in their own homes and communities longer. This, in turn, delays and/or prevents altogether the need for more expensive institutional care often paid for through Medicare or Medicaid. OAA programs are not only extremely cost-effective, but they are also longstanding examples of public-private partnerships that save taxpayer dollars at the local, state and federal levels in terms of reduced healthcare expenditures.

We strongly support the authorized appropriations increases contained in this legislation. With nearly half of our Meals on Wheels programs having a documented waiting list for nutrition services, the 6% increase in authorization of funding levels through Fiscal Year 2024 for OAA programs will significantly improve the senior nutrition network's ability to close these service gaps.

We further appreciate recognition of the significant impact of OAA nutrition services and supports and the steps taken to strengthen them through provisions in this final compromise reauthorization bill. Provisions that advance research and data, including capturing the unmet need and scope of waiting lists for congregate and home-delivered meals, and increase focus on culturally appropriate and medically-tailored meals, malnutrition, and the negative health consequences of social isolation are key priorities of our organization, among many others.

Accordingly, we urge the Senate to swiftly pass the ''Supporting Older Americans Act of 2020'' to help better meet the inherent changes in our country's aging population and serve more of those in need. Meals on Wheels America and the nationwide network of senior nutrition programs have appreciated contributing feedback and policy recommendations throughout this reauthorization process and look forward to continuing to work with you to build upon the ongoing successes of the OAA.

Thank you again for your leadership, public service and support for our nation's older adults.

Sincerely,

ELLIE HOLLANDER,
President and CEO.

AARP,
February 4, 2020.

DEAR CHAIRMEN ALEXANDER AND SCOTT AND RANKING MEMBERS MURRAY AND FOXX: On behalf of our nearly 38 million members and all older Americans nationwide, I am writing to express AARP's support for the Supporting Older Americans Act of 2020, a bipartisan amendment in the nature of a substitute to H.R. 4334 that would reauthorize the Older Americans Act (OAA). We are pleased that this amendment maintains critical service and information roles of OAA programs, and promotes greater responsiveness to the needs of older Americans. We appreciate your leadership in developing this bipartisan, bicameral agreement and look forward to a prompt reauthorization of OAA.

Giving Americans the support they need to live at home with independence and dignity has always been a bedrock goal of OAA, and it has been remarkably successful. The Supporting Older Americans Act builds on this success by further enhancing OAA programs and services. This amendment addresses AARP's OAA reauthorization priorities, including further strengthening the National Family Caregiver Support Program (NFCSP), extending the bipartisan Recognize, Assist, Include, Support, and Engage (RAISE) Family Caregivers Act (P.L. 115–119), and increasing funding levels for OAA programs.

The Supporting Older Americans Act enhances support for caregivers by encouraging the use of caregiver assessments under NFCSP. Assessing the caregiving situation can lead to targeting services more effectively by linking the caregiver to the services most beneficial to them. Better targeting of support services can also help maintain the health and well-being of the caregiver, sustain their ability to provide care, produce better outcomes for their loved ones, and prevent or delay nursing home placement. The provision to extend RAISE will provide the RAISE Family Caregiving Advisory Council with more time to identify meaningful solutions for supporting the 41 million family caregivers nationwide who provide a staggering $470 billion annually in unpaid care to their loved ones. And importantly, at a time when the older population is projected to grow significantly, the increased funding levels provided in the amendment would assist more older Americans and caregivers, thus helping more older adults remain at home and in better health, avoiding costlier services.

We commend the committees for their bipartisan and bicameral work, and urge prompt reauthorization of the Older Americans Act to ensure that our loved ones can continue to turn to these vital services for their health and economic security as they age. If you have any questions, please feel free to contact me or have your staff contact Nicole Burda on our Government Affairs team.

Sincerely,

MEGAN O'REILLY,
Vice President, Federal Health & Family, Government Affairs.

FEBRUARY 7, 2020.

DEAR LEADERS MCCONNELL AND SCHUMER, SPEAKER PELOSI, LEADER MCCARTHY, CHAIRMAN ALEXANDER, RANKING MEMBER MURRAY, CHAIRMAN SCOTT AND RANKING MEMBER FOXX: On behalf of the undersigned 128 national organizations with a vested interest in the well-being of America's older adults and caregivers, we write to you today in support of the Supporting Older Americans Act of 2020 (H.R. 4334) to reauthorize the Older Americans Act (OAA).

We recognize and appreciate the diligent bipartisan and bicameral efforts to reauthorize the Older Americans Act, which expired on September 30, 2019. Achieving a reauthorization of this critical Act that reaffirms and protects its mission will ensure the sustainability of vital OAA programs, as well as the health, dignity, and independence of the older Americans and their caregivers who depend on them.

The OAA is essential to developing, coordinating, and delivering home and community-based services that help older adults remain in their homes and communities as they age. Many individuals served by OAA-funded programs would otherwise be at significant risk of hunger, isolation, abuse, and losing their ability to choose where they want to age. OAA-supported programs are provided to

more than 11 million seniors and their caregivers annually, and include, but are not limited to, home-delivered and congregate nutrition services, in-home supportive services, multipurpose senior centers, transportation, caregiver support, disease prevention and health promotion, community service employment, the long-term care ombudsman program, and services to prevent the abuse, neglect, and exploitation of older adults.

By keeping seniors healthy and in their communities for more than 50 years, OAA programs have also delayed or prevented the need for more expensive institutional care for many older adults, which is often paid for through Medicare or Medicaid. OAA services can effectively save taxpayer, state, and federal dollars and promote efficiencies within the health care system.

The Supporting Older Americans Act of 2020 builds upon both the House-passed Dignity in Aging Act (H.R. 4334) and the Senate-introduced Modernization of the Older Americans Act Amendments (S. 3057) to incorporate a number of important priorities articulated by stakeholder organizations. Most importantly, the bicameral compromise calls for necessary investments in the OAA by increasing funding authorizations over the next five years—a top priority of the undersigned organizations and the most critical need of the Aging Network authorized by the OAA.

Other priorities within the bill address research and demonstrations, Native American services, local planning and development, supports for those living with dementia and social isolation, legal services, nutrition, in-home supportive services, disease prevention and health promotion, multigenerational collaboration, and family caregiver supports. We appreciate that the Supporting Older Americans Act of 2020 preserves the numerous ways in which this Act works so well at the federal, state, and local level, on behalf of the older adults and caregivers for whom it is a lifeline to dignity, independence, health, safety, and economic security.

Thank you for your commitment to this important issue. The undersigned organizations represent a diverse set of stakeholders, and we stand ready to build upon existing momentum to swiftly advance the compromise bill through Congress and to the President's desk.

Sincerely,

AARP; Academy of Geriatric Physical Therapy, a component of the APTA; Academy of Nutrition and Dietetics; ADvancing States; Aging Life Care Association; AHEPA Management Company; Alliance for Aging Research; Alliance to End Hunger; Allies for Independence; ALS Association; Alzheimer's Alliance Michigan State University; Alzheimer's Association; Alzheimer's Foundation of America; Alzheimer's Impact Movement; Alzheimer's Los Angeles; Alzheimer's New Jersey; Alzheimer's Tennessee; American Association For Geriatric Psychiatry; American Association of Service Coordinators; American Association on Health and Disability; American Council of the Blind.

American Geriatrics Society; American Hellenic Educational Progressive Association; American Network of Community Options & Resources (ANCOR); American Occupational Therapy Association; American Physical Therapy Association; American Public Health Association; American Therapeutic Recreation Association; Argentum; Association of Assistive Technology Act Programs; Baylor Scott & White Health; Better Medicare Alliance; Blinded Veterans Association (BVA); Brain Injury Association of America; Caregiver Action Network; Caregiver Voices United; Caring Across Generations; CaringKind; Center for Medicare Advocacy; Center for Public Representation; Center to Advance Palliative Care; Christopher & Dana Reeve Foundation.

College of Psychiatric and Neurologic Pharmacists (CPNP); CommunicationFIRST; Community Catalyst; Congregation of Our Lady of the Good Shepherd, U.S. Provinces; Corporation for Supportive Housing; Daughters of Penelope; Dementia Alliance International; Easterseals; Family Voices; Florida Agencies Serving the Blind; Feeding America; Food Research & Action Center; Generations United; Guide Dogs for the Blind; Health Benefits ABCs; Home Instead Senior Care; Home Modification Occupational Therapy Alliance-HMOTA; International Association for Indigenous Aging; Justice in Aging; Lakeshore Foundation; LEAD Coalition (Leaders Engaged on Alzheimer's Disease).

LeadingAge; Livpact Inc.; Local Initiatives Support Corporation; Lutheran Services in America; MAZON: A Jewish Response to Hunger; Meals on Wheels America; Medicare Rights Center; National Able Network; National Adult Day Services Association (NADSA); National Adult Protective Services Association; National Advocacy Center of the Sisters of the Good Shepherd; National Affordable Housing Trust; National Alliance for Caregiving; National Asian Pacific Center on Aging (NAPCA); National Assn. of RSVP Directors; National Association for Home Care & Hospice; National Association of Area Agencies on Aging (n4a); National Association of Councils on Developmental Disabilities (NACDD); National Association of Counties (NACo); National Association of Development Organizations (NADO); National Association of Nutrition and Aging Services Programs (NANASP).

National Association of Regional Councils; National Association of Senior Legal Hotlines; National Association of Social Workers (NASW); National Association of State Head Injury Administrators; National Association of State Long-Term Care Ombudsman Programs (NASOP); National Community Action Partnership; National Community Reinvestment Coalition (NCRC); National Consumer Voice for Quality Long-Term Care; National Council on Aging; National Council on Independent Living; National Housing Trust; National Law Center on Homelessness & Poverty; National Respite Coalition; NETWORK Lobby for Catholic Social Justice; Network of Jewish Human Service Agencies; Ohio Council for Cognitive Health; PHI; Planetree International; Prevent Blindness; Program in Occupational Therapy, Washington University School of Medicine; Region 10 LEAP; RESULTS; Retirement Housing Foundation.

Rossetti Enterprises Inc.; Sanford/Good Samaritan Society; Silvernest; Stewards of Affordable Housing for the Future; The Arc of the United States; The Association for Frontotemporal Degeneration; The Carroll Center for the Blind; The Episcopal Church; The Evangelical Lutheran Good Samaritan Society; The Gerontological Society of America; The Jewish Federations of North America; Trust for America's Health (TFAH); United Church of Christ Justice and Witness Ministries; United Spinal Association; UsAgainstAlzheimer's; Village to Village Network; VisionServe Alliance; WISER; Volunteers of America; Women's Institute for a Secure Retirement (WISER).

SUPPORTING OLDER AMERICANS ACT OF 2020

Ms. COLLINS. Mr. President, last night the Senate unanimously passed my legislation, the Supporting Older Americans Act of 2020. I developed this important legislation with Senator BOB CASEY, who serves as the ranking member of the Senate Aging Committee, which I chair, to reauthorize and strengthen the landmark Older Americans Act. A bipartisan group of 24 Senators cosponsored this reauthorization, and 128 national organizations endorsed it. I rise today to commend this bipartisan achievement that will ensure that vital services for our seniors continue and are strengthened.

Since 1965, the Older Americans Act has helped to ensure that millions of seniors receive the support they need to age independently and with dignity. Administered by the Administration for Community Living, the Older Americans Act authorizes an array of services through a network of 56 State units on aging and more than 600 area agencies on aging, serving more than 10 million Americans throughout the Nation each year. OAA programs provide nutritious food, transportation, assistance to caregivers, and in-home services for older adults. These investments foster a sense of community for older adults and save taxpayers money by reducing hospitalizations and the need for long-term residential care.

As our population ages, demand for Older Americans Act services has grown. Our legislation extends OAA programs for 5 years and provides increased investments to meet growing demands. For example, one hallmark OAA program is Meals on Wheels. Last year, this home-delivered nutrition program provided seniors with 358 million meals. In many States, however, the need is soaring. In Maine, there is a waitlist of 400 to 1,500 people, depending on the time of the year and the location in our State. That is why it is so important that this bill helps to ensure that more seniors in need of nutritious food can be served through important programs such as Meals on Wheels.

At $11 a day, a meal is far cheaper than the $2,400 average cost of a hospital stay. Using Older Americans Act dollars, the Southern Maine Agency on Aging conducted a pilot study that provided seniors discharged from the hospital with 4 weeks' worth of food. The results were astounding—hospital readmissions were reduced by 38 percent—a 387-percent return on investment. On a national scale, the savings would be an astronomical $51 billion annually.

Our legislation also includes several provisions to combat social isolation, which can have devastating health effects, particularly on older adults who are already vulnerable.

As the executive director of the Eastern Maine Area Agency on Aging, Dyan Walsh, said, The Older Americans Act is a great victory for the aging services network and those we serve. There are many important provisions in the bill, not the least of which is the focus on research to study the negative consequences of social isolation and loneliness which impacts so many rural older adults. We look to the future with a renewed focus to integrate innovative

strategies that will advance our mission to support communities and those who are the most vulnerable.

The Older Americans Act is a shining example of a Federal policy that works. Every $1 invested into the Older Americans Act generates $3 by helping seniors stay at home through low-cost, community-based services. I thank the dozens of stakeholders we have worked with over the past several months to reauthorize and strengthen OAA, including the Leadership Council of Aging Organizations, AARP, the National Association of Area Agencies on Aging, the National Alliance for Caregiving, Meals on Wheels America, the National Association of Counties, and the Alzheimer's Association. I ask unanimous consent to have these letters of support printed in the RECORD at the end of my remarks.

I urge my colleagues in the House to support this important reauthorization so that we can swiftly send it to the President's desk to get signed into law.

GAME CHANGERS STUDY

Mr. PAUL. Mr. President, I recently had the honor of being welcomed by Game Changers, an organization based in Louisville, KY, devoted to guiding our youth toward productive and meaningful lives, for a panel discussion on the impact of violence in our community. The executive director of Game Changers is Christopher 2X, who I have known for many years and watched change the lives of so many Kentuckians through his advocacy, leadership, and community building efforts. In December of 2019, just a few months ago, Christopher showed me the findings of Game Changers's study on the impact of youth violence recently released by his organization. Subsequently, I asked him to organize an event in West Louisville with a panel of community leaders and parents to discuss the report and how violent crime affects the lives of Louisville youth.

At the event, we not only discussed the findings, but also heard from Louisvillians whose real-life stories are contained in the pages of those reports. Kentucky Education Commissioner, Dr. Wayne D. Lewis, educated us on the burden that violence has on children. However, the only way to grasp the true tragedy of violent crime is to hear from those impacted. I met with Deshante Edwards, who not only lost her son, Donte, but now sees her 6-year-old grandson subsequently lose focus in school. I listened as Krista and Navada Gwynn told me that, as a result of the murder of their son, Christian, their 17- and 11-year old children are too petrified to go outside. Only personal stories such as these truly demonstrate the extreme toll taken on children exposed to violence.

That is why I feel compelled to share Game Changers's findings on violence and its impact on our youth with my colleagues. Tragically, children are exposed to violence in every corner of our Nation. I ask unanimous consent that this report be printed in the CONGRESSIONAL RECORD with the hope that every Member of Congress will read it and work with me to create safer communities for our children.

There being no objection, the material was ordered to be printed in the RECORD, as fallows: ,

VIOLENCE IMPACT ON CHILDREN LEARNING

The Christopher 2X Game Changers Target Education—Crush Violence

SHINING A LIGHT ON HOW GUN VIOLENCE IMPACTS KIDS

Kentucky Education Commissioner Dr. Wayne D. Lewis

''Children who grow up in violent neighborhoods seldom realize their way of life is not typical. Their lives may include regularly hearing gunshots through the night and sometimes during the day, losing friends, family, and neighbors to gun violence, and continually being fearful of becoming the victim of violent crime.

No parent wants that kind of life for their children, but that is what life looks like for children living in violent neighborhoods across the U.S., including children in some Louisville neighborhoods. The trauma they suffer is unlike anything children growing up in upper middle class or affluent neighborhoods could imagine. And the impact of that trauma, while often unrecognized, is significant; often impacting their ability to reach their learning potential at school.

Recognizing and responding to the trauma of students who experience violence has to be part of how we educate them. There is no way to reasonably expect students who have experienced such trauma to leave their fears, anxieties, and pain at home when they come to school. Instead, it is incumbent upon schools to help connect students with community resources as appropriate, and to do our absolute best to be sensitive to and accommodate students' social and emotional needs as we work to meet their academic needs in schools.''

Jenny Benner, Senior Director-Child Development Center, Chestnut Street Family YMCA

''As an early childhood educator, it has become more common to see children who have been affected in some way by violence. Many of the children we serve are too young to verbalize their trauma or stress. Because of this, we have to ensure early childhood educators have the training and support needed to help these children build resilience. We focus heavily on a child's social-emotional development and the first step is to make sure they feel safe and loved.

Once in a safe environment, they will open up to learn skills necessary to be successful in school and life. It is also important to teach problem-solving and how to resolve conflicts appropriately, using words. I believe this skill is lacking in some children and they are most likely to continue cycles of violence because that is all they know. This report shines a light on how important education is, even as early as infancy, and my hope is that this will start a dialogue about how we as a community can come together to serve children to our best ability!''

Jefferson Family Court Judge Derwin Webb

''When I was 15 years old, one of my good friends was accidentally shot and killed by a friend. A few years later, that same shooter was accidentally shot and killed by someone else. Today, we have kids killing kids—at random times—intentionally. Louisville, we are better than this. Guns have no names, bullets have no names, but our children do. So, I am asking you to please, please stop the violence. I started YOUNG Men's Academy at Whitney Young Elementary, a mentorship program, to try to help, and I applaud this report and all efforts to bring attention to the needs of kids exposed to violence, and to help them reach their potential.''

Dr. J. David Richardson, Chief of Surgery, University of Louisville Hospital

''Having been involved in the care of the injured for over 40 years, I applaud the current focus on the downstream effects of gun violence in our community. As trauma surgeons, our team focuses on the ''victim'' or injured. We analyze their care and outcomes through our quality review process, but we have few, if any, mechanisms for examining the effects on families, neighbors, or others in the community who are impacted by this violence. I have been particularly concerned about the children who bear witness to these acts, even if they are not directly or physically injured. How can a growing, evolving, learning, adapting brain develop as we would desire in an atmosphere of uncertainty and fear? I have heard countless stories of the deleterious effects of these acts of violence and their negative impact on the culture and well-being of our neighborhoods. While it is cliche to state ''our children are our future'', it is nonetheless true. The children who are exposed to gun violence in Louisville deserve better.''

Troy Pitcock, retired LMPD Major 2nd Division

''Gun violence has a horrifying impact on our youth. Witnessing it directly or the remnants of violence at police crime scenes are situations too many of our youth are exposed to, many times at such early ages. These situations have life lasting implications on children, at times creating a perception such violence is acceptable. A lack of parental support can enhance the believe to our youth that such actions are acceptable or even the proper method to deal with conflict.''

CHRISTOPHER 2X

Imagine you're a mom at home watching a video with your kids and their playmates on a Saturday afternoon when all a sudden your home is being riddled with bullets from a high-caliber weapon.

Bullets through the walls, furniture, shattering the oven door, while you scramble to get the little ones on the floor, covered with your body, and under a bed, to keep them safe.

No imagination is needed. This happened to my daughter Heaven, a child development specialist, who was with six children, ages 1–7, when her home was hit with gunfire from an AK–47 in the middle of the afternoon last Dec. 1. Two neighboring apartments in the new Shepherd Square complex just east of downtown also were hit.

While thankfully no one was physically hurt, the trauma from exposure to such a violent act can interrupt a child's normal development and ability to learn in school.

My daughter's experience and a spike in gun violence last summer—with teens shooting automatic weapons out of stolen cars, kids as young as 13 charged with murder—made me want to shine a light on the impact of gun violence on children and their learning.

As a peace and justice advocate for nearly 20 years, I know my daughter's experience is not unique. In all parts of our city, citizens report hearing gunfire to police every day and gunshots have been heard outside my daughter's apartment multiple times since the day her home was splattered with bullets.

In the first nine months of this year, 65 of the 73 murders in Louisville Metro were from

gunfire, and family and friends—including many young children—struggle with the losses. In all, 276 people were shot from January-September, more than 30 people a month.

Children suffer if they get hit by bullet, witness a shooting, lose someone close or live on edge because the crack of gunshots is as common as the chirping of a songbird. They often can't focus or learn in school. Some can't sleep and have nightmares. Some withdraw, others act out or retaliate and resort to violence themselves.

In sharing their stories on the following pages—some redemptive, some tragic—we can all have a better understanding of what this sick culture of gun violence is doing to our children and their ability to learn. We can all do a better job recognizing children who are suffering and providing help they need to succeed in school and reach their potential.

There are many people—teachers, police officers, counselors, therapists, physicians, nurses, others—doing amazing work to help victims and their families. But much more is needed. Here is my call to action as a start:

Parents/adults with children under your care: Talk to your child's teacher or school counselor if your child has been exposed to violence so they can be supportive and helpful. Don't assume your child is ok. Seek services for your child through the school or others such as their doctor if your family needs help.

Teachers: Know the symptoms of trauma in a child, which vary based on age and the individual child but include acting out, aggressive verbal or physical behavior, or withdrawal and not doing their work. Use school resources to link the child to professional evaluation and help.

Principals/administrators: Support teacher training at your schools, and make sure children in need receive evaluations and follow up treatment if needed.

I am deeply grateful to survivors of gun violence and others for sharing their stories. May God bless the victims, survivors and the angels in their lives who support them.

DEVIN SESAY AND FAMILY

Before June 13, he was excited about his upcoming freshman year at Atherton High School. He was also relieved because his big brother, Devin Sesay, a rising Atherton senior, would teach him the ropes at his new school.

The brothers would walk to the bus stop together every morning. On the first day, they would be sporting new shoes that Devin, a smart dresser, would find online.

Everything changed on June 13 for the boy, 14, and his close extended family whose members first came to the United States 27 years ago to escape war-torn Liberia in West Africa.

On June 13, Devin was shot and died on Roselane Street in Smoketown, three doors down from the family's home. He was 17. Family members said Devin had been walking home late at night from playing basketball in nearby Shelby Park when shots were fired from a passing car.

Devin's family—his grandfather, mother and four brothers, his aunt and cousins—are dealing with devastating shock, grief and anger over his murder, while also coping with other major life adjustments.

A few weeks after Devin's murder, his mother, grandfather and brothers moved to a brick ranch house and new school district 13 miles away in southern Jefferson County.

''I was afraid for the boys,'' said their mother, Maima Karneh, 41, a certified nurse assistant who works nights at the Home of the Innocents, not far from Smoketown.

Her boys and other children often hung out at their home, inside playing video games, outside on the porch or nearby throwing a football or shooting hoops.

She liked having them around the house where they'd lived for 10 years, she said, because it meant they weren't on the street. She enforced stern rules, checked on her boys often by phone and Devin had never been in any trouble, she said.

Ten days after Devin's murder, another shooting solidified her decision to move. On June 23, Tyrese Garvin, 20, was shot almost directly across the street from where her son was killed. Garvin had been visiting his newborn twins at University Hospital. He died five days later in the same hospital where his twins were being treated. Three juveniles including a 14-year-old were charged with his murder.

''There was no way we were going to stay,'' Karneh said.

She and Devin knew Garvin, who was a senior when Devin was a freshman at Atherton and Garvin attended Devin's memorial service, a few days before he was murdered.

In their new home, Devin's portrait hangs in the living room near the front door and his brother at times stares at it. ''It reminds me of how many good days we had,'' he said. ''I was supposed to go to Atherton with him this year. He was supposed to show me the bus stops and everything and it just kills me.'' Instead his brother is gone, he's is a new neighborhood and attending Moore High School, and he said it doesn't feel right.

The school alerted his mother to concerns about him focusing and his grief and he and family members are receiving counseling. Two other younger brothers, 11 and 13, are attending Moore Middle School and said they are doing their best to live up to Devin's memory.

Devin's four brothers—the oldest is 21—and a 10-year-old cousin were at home when Devin was killed and some of them heard the shots.

Karneh's 14-year-old son called her at work to report hearing gunfire and that Devin was not home. When Devin did not respond to her texts, ''I knew it was him,'' she said.

Her sister, Sietta Karneh, said the family wants to keep Devin's memory alive. He was an outgoing, athletic, fun teenager with a slew of friends who have taken his death hard, posting remembrances on social media, his aunt said. She and her sister have raised their kids as one family. ''I also lost a son,'' she said about Devin. ''I can't get over how close to home he was when they took his life . . . . I can't get over this nightmare.''

*Deadliest Month of 2019: June—15 homicides, the highest number of murders in any month in the past five years and more than twice the seven homicides in June 2018.

A FAMILY HUNKERS DOWN

Near 22nd and Oak streets in West Louisville, a 12-year-old boy and his 13-year-old sister decided to stay inside during the summer because they were afraid they'd get shot if they ventured outdoors.

Their parents don't want their names revealed. ''We are so close to it. We're a stone's throw away from it in either direction,'' their father said about the gun violence.

Their mother, who remembers a safe environment when she was growing up in the neighborhood, said they hear gunshots two or three times a month at least, usually at night. She said they stay inside, and don't go near the windows.

''You hear it so much you get used to it. You hope the gunshots don't affect your family.'' When news reports spotlight a deadly shooting in areas where she has family ''you think my brother lives down there. I hope it wasn't him. You tend to tense up when you hear things like that.''

Their children are keenly aware, too. They know about gunshot deaths not far from their home during the summer, and a video on social media of teens with guns touting an ''east vs west'' rivalry with random gun violence.

''It's messed up,'' the boy said.

He said he began staying inside their house in early July after he was outside with friends in the early evening and a car pulled up on their street with a gun pointing out the window. He ran to his backyard and said after that, ''I decided on my own not to go out.''

His sister said she thinks ''the world's just getting violent.'' She didn't go outside ''because the west and the east was doing a shootout.'' She said she learned about it through a video on Facebook.

Their parents said they don't call police because they don't think there is much the police can do, although they wish there were more routine police patrols visible on their streets. Police respond to gunfire, but without adequate information they are unable to make an arrest, their father said.

''You don't want to keep your kids locked in,'' their mother said. ''You are scared for their safety, too. You don't know what to do.''

Citizen reports of hearing gunshots over 18 months, from Jan. 1, 2018–June 2019, totaled 4,558, from every Louisville Metro police district.

Homicides by police district Jan.–Sept. 2019: 1st District—12; 2nd District—25; 3rd District—11; 4th District—13; 5th District—3; 6th District—5; 7th District—2; 8th District—2; Total: 73.

DIONTAE ''TAY'' REED

At 18, Diontae ''Tay'' Reed seems happy, with a playful sense of humor and a lot to be proud of—good grades, a diploma from Ballard High School, a future full of possibilities including college.

He's come a long way from age 13 when he was shot in the back, underwent surgery and spent 11 days in the hospital. His homes have been shot up four different times, and he knows more people who have been shot or killed than he can count on both hands.

''I knew about the violence in my neighborhood at a young age,'' he said. ''I have trust issues. I don't trust people easily so wherever I go I'm always looking.''

Now he's the first person in his family to have graduated from high school, months after he and his family—his mother and a younger sister—were evicted from their home in the Portland neighborhood. He is staying with a friend's family while his mother and sister are living apart with relatives. He takes the bus from the apartment where he is living in the Portland neighborhood to Mall St. Matthews and back for his part-time job at a shoe store.

Diontae wonders if he's ready for college, and he's deeply worried about how he would pay for tuition, but he is exploring options as he also dreams of having a driver's license and a car someday.

He credits his mother, who ''was always on me'' for keeping him on the right track, off the streets and focused on school. He also credits Ballard High School teachers and a special tutor for helping him achieve. ''I always made teachers laugh,'' he said with a smile, and ''they became friends to me.'' He can tick off the names of several he admired.

He attended Shawnee Academy his freshman year but pursued a transfer to Ballard with the help of his mother. ''I felt like if I had stayed at that school I wouldn't have learned anything,'' because teachers spent so much time trying to control the classroom, he said.

His cousin had been doing well at Ballard, had a tutor, and he thought that formula would also work for him, and it did.

''I'm seeing I'm getting good grades,'' he said. ''I do not want to go home and be on the streets and do something that could get me killed.''

His two older brothers, 23 and 22, chose a ''way different path.'' When he was shot four years ago, he was running away from a fight his brothers got into with another group of boys. When asked why he thought his homes had been shot up in the past, he responded, ''my brothers.'' While he's close to them, ''I could never ask them what they're doing.''

While in the hospital, recovering from surgery and a collapsed lung, he was angry but told relatives and friends who visited him that he didn't want any more violence, no retaliation. He said he would have liked to have seen whoever shot him go to jail but no arrests were made.

He participated in the Christopher 2X ''Hood2Hood'' antiviolence campaign, preaching non-violence door-to-door and in neighborhoods and remains active in anti-violence and community service programs.

''The violence going on now is terrible, crazy,'' he said. ''People don't even want to go outside because of what is going on.''

73—Number of homicides in Louisville in the first nine months of 2019, an increase of nearly 20 percent compared to the first nine months of 2018 when 61 murders were committed.

72.6%—53, of the 73 homicide victims in the first nine months of 2019 were black compared to 63% for the same time period in 2018.

32%—of the victims, 25 killed, were under age 25, with eight victims 11–17 years old. One victim was under age 11.

Homicides: 2014: 55; 2015: 80; 2016: 118; 2017: 102; 2018: 80.

89% of the 73 murder victims, 65 people, in the first nine months of 2019 were killed by gunfire, the highest percentage of homicides by gunfire for a comparable time period in the past five years.

TRIBUTE TO ALGENE SAJERY

Mr. CARDIN. Mr. President, today I rise to thank Algene Sajery, a senior member of my foreign policy legislative staff, for her incredible service to the State of Maryland, our country, and by virtue of her foreign policy and national security legislative achievements, to the international community. I am incredibly grateful for all that we have accomplished during her tenure.

Algene has served as my senior foreign policy and national security advisor since 2012 and concurrently as democratic policy director for the Senate Committee on Foreign Relations from 2015 through 2018. Over the years, Algene has served as my lead staff author and/or negotiator of several landmark national security and foreign policy laws, including the Global Magnitsky Human Rights and Accountability Act, P.L. 114–328; the Foreign Aid Transparency and Accountability Act, P.L. 114–191; the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act, AGOA and MCA Modernization Act, P.L. 115–167; the Global Food Security Act, P.L. 114–195; and the Electrify Africa Act, P.L. 114–121. These accomplishments demonstrate the wide-ranging policy areas over which Algene has extensive knowledge. Her ability to leverage her knowledge to help negotiate and advance such policies into law and her passion for doing so are what set Algene apart from most others in this highly competitive field.

But Algene's accomplishments do not end with advancing landmark human rights, transparency, foreign assistance, and international development legislation. Algene has also worked tirelessly at my direction on several bills related to human rights in conflict zones, including the Syrian War Crimes Accountability Act and the Elie Wiesel Genocide and Atrocities Prevention Act P.L. 115–441. Algene's efforts have helped cement my legacy in these arenas and as Special Representative for Anti-Semitism, Racism, Intolerance for the Organization for Security and Cooperation in Europe—OSCE—Parliamentary Assembly, to help propel my work to create a world where the promise of ''never again'' in response to genocide will one day bear truth.

Our work together has transcended several Presidential administrations. We have observed Executive overstep with regard to war powers on numerous occasions. We have opened our eyes to the use of U.S. manufactured weapons to commit war crimes and repress human rights around the world. In response, Algene and I also developed my signature arms sales oversight legislation, the Enhancing Human Rights Protections in Arms Sales Act of 2019, and numerous bills, resolutions, and amendments on authorization of use of military force, conflict prevention, peace and reconciliation, and community resiliency policies.

Algene's successful legislative record is testament not only to her expertise on foreign policy and national security issues but also to her keen negotiating skills, ability to work across the aisle, and incomparable political acumen. But Algene's service on my legislative staff has gone far and beyond helping me draft and advance legislation. One of the most striking qualities of Algene's character and, in my opinion, one of the most noteworthy accomplishments as a part of her distinct legacy on my team, is her dedication to helping others around her.

Algene is one of only a handful of women of color working on foreign policy and national security issues and the first African-American woman to serve in a leadership position on the Senate Foreign Relations Committee. Over the years, she has served as a mentor to women of color at various stages in their careers, offering advice, support, and guidance. Algene has always made time to support those around her because she understands the challenges of launching and navigating a career in foreign policy and national security, and she genuinely wants to propel others towards similarly successful career paths.

Algene is a highly effective legislative negotiator, strategist, coalition builder, and a true trailblazer. Her knowledge and expertise are unparalleled, but her passion, creativity, and tenacity truly are what have made her an asset to my team and a voice that I will greatly miss in my office.

It has been an honor working with Algene over the years, and I wish her nothing but happiness and success as she transitions her career off Capitol Hill.

ADDITIONAL STATEMENTS

TRIBUTE TO SCOTT BENNETT

• Mr. BOOZMAN. Mr. President, I rise today to recognize the career of Scott Bennett, who is retiring as director of the Arkansas Department of Transportation after nearly 32 years of service and dedication to the State.

Scott assumed his current post as director in 2011; however, he has been an asset to ARDOT since his summers as an engineering intern. Scott's hard work, passion, and knowledge allowed him to build a celebrated career that has greatly benefited the State and its citizens. He received a bachelor's degree in civil engineering from the University of Arkansas in 1989 and became a full-time employee of the Planning and Research Division. He also earned a master's degree in civil engineering in 1994 while working for ARDOT.

During the past 9 years, his effective and influential leadership has been indisputable. Scott led ARDOT's efforts to implement significant highway rehabilitation efforts, including the 2011 Interstate Rehabilitation Program and the 2012 Connecting Arkansas Program, both of which were approved by voters.

Scott is an active leader in the transportation and engineering communities in the State and at the national level. He was appointed to the Arkansas Board of Licensure for Professional Engineers and Professional Land Surveyors in 2015, where he currently serves as president. In 2017, Scott was elected secretary-treasurer of the American Association of State Highway and Transportation Officials, after previously serving as a member of the board of directors. Scott has served on other various organizations to support the transportation industry and improve roadways for all Americans.

Scott has earned many accolades over the course of his career. The American Association of State Highway and Transportation Officials presented him with the Thomas H. MacDonald Memorial Award, which recognizes top engineers in the transportation profession. In 2005, he received the University of Arkansas Young Engineer Alumni of the Year Award, and in 2019 he was honored with the University of Arkansas College of Engineering's Distinguished Alumni Award. In 2010, Scott was inducted into the Arkansas Academy of Civil Engineering.

I applaud Scott for his accomplished career with the Arkansas Department

of Transportation. He has displayed his commitment to improving the quality of life for Arkansans, and he leaves behind a legacy that will continue to be felt across the State. I appreciate his friendship and am grateful for his years of devoted service to the Natural State.●

REMEMBERING HAROLD HOWARD ''SONNY'' HOWELL II

● Mr. MANCHIN. Mr. President, I rise today to honor a proud West Virginian, a dedicated public servant, a beloved husband, father, grandfather, and a dear friend to all who had the pleasure of knowing him. It is a privilege to recognize the life and legacy of Mayor Harold Howard ''Sonny'' Howell II for his many years of dedicated service to the city of Madison, Boone County, and to our entire home State.

Gayle and I are heartbroken to learn of the passing of our dear friend Sonny. My uncle, the late A. James Manchin, and Sonny were the closest of friends. I first met Sonny in the 1970s and he remained an absolute unconditional, lifelong friend. I have met many unique people throughout the years, but nobody compared to Sonny. He was a true example of what it means to be a public servant, having served in the U.S. Army, as justice of the peace, Boone County Circuit clerk, and for many years as mayor of Madison.

Born and raised in Madison, Sonny was a member of the Madison United Methodist Church for more than 80 years. He was a 1956 graduate of Scott High School, and he attended West Virginia Wesleyan College, Morris Harvey College, and West Virginia State College. He was a member of the Masonic O'Dell Lodge, Beni Kedem Shrine, Royal Order of the Jesters, Madison Rotary Club, Paul Harris Fellow for Rotary International, Member of the Municipal League, and a recipient of the 35th Star from my uncle A. James Manchin. He and his wife Onia have been the owners of Howell Rental, a family business started by Sonny's father in 1940.

There is a lot to be said of someone who bravely serves our Nation, then returns home to continue giving back to the community that made them who they are. When visitors come to West Virginia, I jump at the chance to tell them we have fought in more wars, shed more blood, and lost more lives for the cause of freedom than most any State. We have always done the heavy lifting and never complained. We have mined the coal and forged the steel that built the guns, ships, and factories that have protected and continue to protect our country to this day. I am so deeply proud of what West Virginians have accomplished and what they will continue to accomplish to protect the freedoms we hold dear. That is Sonny's legacy, and his courage, loyalty, and humility will never be forgotten.

Put simply, Sonny represented the very best of West Virginia, which is saying quite a lot. In the Mountain State, if you are hungry, you will be fed. If you are lost, someone will not only give you directions but will offer to drive you to your destination. That is just who we are, and that is who Sonny was. We have lost a shining star in Boone County, but his impact, vision, and his passion for this special community will last forever. It was an honor to have known him and to call him my friend. He never met a stranger and always had time to share a story.

What is most important is that Sonny lived a full life, surrounded by dear friends and family. It is my hope that his loved ones are able to find peace, strength, and support in one another. I extend my condolences to his wife of 59 years, Onia, his son Kip, his daughter-in-law Deanna, his grandchildren Harry and Meredith, sister-in-law Marilyn, brother-in-law Mike, and a host of nieces and nephews, who lovingly referred to him as Uncle Son. Again, I extend to you my most sincere condolences for our loss of this wonderful person. The unwavering love Sonny had for his family, friends, community, and our home State will live on forever in the hearts of all who knew him.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Roberts, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13288 OF MARCH 6, 2003, WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF ZIMBABWE AND OTHER PERSONS TO UNDERMINE ZIMBABWE'S DEMOCRATIC PROCESSES OR INSTITUTIONS—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2020.

In the wake of the resignation of former President Robert Mugabe in November 2017, Zimbabwe's national elections in July 2018, and President Mugabe's subsequent death in September 2019, Zimbabwe has had ample opportunity to implement reforms that could set the country on a constructive path, stabilize the southern African region, and open the door to greater cooperation with the United States. Unfortunately, President Emmerson Mnangagwa's administration has yet to signal credible political will to implement such reforms. Indeed, the Zimbabwean government has arguably accelerated its persecution of critics and economic mismanagement in the past year, during which security forces have conducted extrajudicial killings, rapes, and alleged abductions of numerous dissidents.

These actions and policies by certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions continue to pose an unusual and extraordinary threat to the foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13288 with respect to Zimbabwe.

DONALD J. TRUMP.

THE WHITE HOUSE, *March 4, 2020.*

MESSAGES FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4508. An act to expand the number of scholarships available to Pakistani Women under the Merit and Needs-Based Scholarship Program.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1822. An act to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

At 5:03 p.m., a message from House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6074. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4508. An act to expand the number of scholarships available to Pakistani women under the Merit and Needs-Based Scholarship Program; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4176. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Fiscal Year 2019 Federal Information Security Management Act (FISMA) and Privacy Management Report; to the Committees on Agriculture, Nutrition, and Forestry; Appropriations; Homeland Security and Governmental Affairs; and Commerce, Science, and Transportation.

EC–4177. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Penoxsulam; Pesticide Tolerance'' (FRL No. 10004–86–OCSPP) received in the Office of the President of the Senate on March 2, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4178. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chrysodeixis includens Nucleopolyhedrovirus isolate #460; Exemption from the Requirement of a Tolerance'' (FRL No. 10003–94–OCSPP) received in the Office of the President of the Senate on March 2, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4179. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trifloxystrobin; Pesticide Tolerance'' (FRL No. 10004–08–OCSPP) received in the Office of the President of the Senate on March 2, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4180. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Market Access Program'' (RIN0551–AA97) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4181. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Foreign Market Development Program'' (RIN0551–AA96) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4182. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Technical Assistance for Specialty Crops Program'' (RIN0551–AA98) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4183. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Emerging Markets Programs'' (RIN0551–AA95) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4184. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Michigan; Second Limited Maintenance Plans for 1997 Ozone NAAQS'' (FRL No. 10006–00–Region 5) received in the Office of the President of the Senate on March 2, 2020; to the Committee on Environment and Public Works.

EC–4185. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production Residual Risk and Technology Review'' (FRL No. 10006–06–OAR) received in the Office of the President of the Senate on March 2, 2020; to the Committee on Environment and Public Works.

EC–4186. A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to emergency funding to support critical response and preparedness activities for the coronavirus (COVID–19); to the Committee on Health, Education, Labor, and Pensions.

EC–4187. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–218, ''Go-Go Official Music of the District of Columbia Designation Act of 2020''; to the Committee on Homeland Security and Governmental Affairs.

EC–4188. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program (NSEP) for fiscal year 2019; to the Select Committee on Intelligence.

EC–4189. A communication from the Report to the Nation Delegation Director, Boy Scouts of America, transmitting, pursuant to law, the organization's 2019 annual report; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WICKER (for himself and Ms. KLOBUCHAR):

S. 3385. A bill to strengthen the use of patient-experience data within the benefit-risk framework for approval of new drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COTTON (for himself, Mr. CRUZ, Mr. HAWLEY, and Mr. RUBIO):

S. 3386. A bill to require the Committee on Foreign Investment in the United States to consider whether a foreign person that is a party to a transaction undergoing review by the Committee is connected to a foreign country that has installed information and communications technology designed, developed, manufactured, or supplied by persons owned or controlled by, or subject to the jurisdiction or direction of, a foreign adversary, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HASSAN:

S. 3387. A bill to increase funding for the Capitol Investment Grant program of the Federal Transit Administration, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. LOEFFLER (for herself, Mrs. BLACKBURN, Ms. ERNST, Mr. INHOFE, Mr. LANKFORD, Mr. BRAUN, and Mr. SCOTT of Florida):

S. 3388. A bill to ensure that women seeking an abortion are informed of the medical risks associated with the abortion procedure and the major developmental characteristics of the unborn child, before giving their informed consent to receive an abortion; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of South Carolina (for himself and Ms. CORTEZ MASTO):

S. 3389. A bill to provide the National Credit Union Administration Board flexibility to increase Federal credit union loan maturities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BARRASSO (for himself and Ms. CORTEZ MASTO):

S. 3390. A bill to provide for a new building period with respect to the cap on full-time equivalent residents for purposes of payment for graduate medical education costs under the Medicare program for certain hospitals that have established a shortage specialty program; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Ms. HARRIS, and Mr. SANDERS):

S. 3391. A bill to direct the Secretary of Transportation to carry out an active transportation investment program to make grants to eligible applicants to build safe and connected options for bicycles and walkers within and between communities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MERKLEY (for himself, Mr. MARKEY, and Mr. BLUMENTHAL):

S. 3392. A bill to expand and improve access to trauma-informed mental health interventions for newly arriving immigrants at the border, to alleviate the stress of and provide education for border agents, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself and Mr. CRAPO):

S. 3393. A bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. CASEY, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. FEINSTEIN, Mr. GARDNER, Ms. HARRIS, Mrs. LOEFFLER, Ms. MCSALLY, Mr. PERDUE, Mr. RISCH, Mr. ROMNEY, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT of Florida, Mrs. SHAHEEN, Ms. SINEMA, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. BRAUN, and Ms. ROSEN):

S. Res. 527. A resolution recognizing the longstanding partnership between the United States and Australia to share critical firefighting resources during times of crisis; to the Committee on Foreign Relations.

By Ms. STABENOW:

S. Res. 528. A resolution recognizing the importance of the blueberry industry to the United States and designating July 2020 as ''National Blueberry Month''; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Mr. BARRASSO, Mr. MARKEY, Ms. KLOBUCHAR, Mr. BOOKER, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. WICKER, and Mr. COONS):

S. Res. 529. A resolution designating February 29, 2020, as ''Rare Disease Day''; considered and agreed to.

By Mr. CASEY (for himself and Mr. CRAMER):

S. Res. 530. A resolution designating March 4, 2020, as ''National Assistive Technology Awareness Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 178

At the request of Mr. RUBIO, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 719

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 719, a bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons, and for other purposes.

S. 785

At the request of Mr. TESTER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 785, a bill to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

S. 879

At the request of Mr. VAN HOLLEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 879, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes.

S. 1003

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1003, a bill to amend title 38, United States Code, to establish the Veterans Economic Opportunity and Transition Administration and the Under Secretary for Veterans Economic Opportunity and Transition of the Department of Veterans Affairs, and for other purposes.

S. 1081

At the request of Mr. MANCHIN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1081, a bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 1399

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1399, a bill to amend title VIII of the Public Health Services Act to revise and extend nursing workforce development programs.

S. 1942

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1942, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of the duty of the employee, and for other purposes.

S. 2043

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2043, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S. 2054

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2158

At the request of Ms. HASSAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2158, a bill to improve certain programs of the Department of Health and Human Services with respect to heritable disorders.

S. 2417

At the request of Mr. KENNEDY, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

S. 2482

At the request of Ms. HIRONO, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2482, a bill to prohibit the use of Federal funds to carry out the final rule of the Department of Homeland Security entitled ''Inadmissibility on Public Charge Grounds''.

S. 2496

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2496, a bill to amend title II of the Social Security Act to eliminate the Medicare and disability insurance benefits waiting periods for disabled individuals.

S. 3073

At the request of Mr. CASSIDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3073, a bill to require online marketplaces to disclose certain verified information regarding sellers of children's products to inform consumers.

S. 3144

At the request of Ms. SMITH, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3144, a bill to establish a competitive grant program to support out-of-school-time youth workforce readiness programs, providing employability skills development, career exploration, employment readiness training, mentoring, work-based learning, and workforce opportunities for eligible youth.

S. 3167

At the request of Mr. BOOKER, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 3167, a bill to prohibit discrimination based on an individual's texture or style of hair.

S. 3176

At the request of Mr. RUBIO, the names of the Senator from Minnesota (Ms. SMITH), the Senator from Texas (Mr. CORNYN), the Senator from Hawaii (Ms. HIRONO), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 3176, a bill to amend the Foreign Assistance Act of 1961 and the United States-Israel Strategic Partnership Act of 2014 to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 3244

At the request of Ms. ROSEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3244, a bill to require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers, and for other purposes.

S. 3249

At the request of Mr. JOHNSON, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3249, a bill to amend the FAST Act to modify a provision relating to the Motorcyclist Advisory Council.

S. 3372

At the request of Mrs. FISCHER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3372, a bill to amend the Public Health Service Act to provide for treatment of certain respiratory protective devices as covered countermeasures for purposes of targeted liability protections for pandemic and epidemic products and security countermeasures, and for other purposes.

S. RES. 511

At the request of Mr. RUBIO, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S.

Res. 511, a resolution supporting the role of the United States in helping save the lives of children and protecting the health of people in developing countries with vaccines and immunization through GAVI, the Vaccine Alliance.

S. RES. 525

At the request of Mr. CRUZ, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. Res. 525, a resolution expressing the sense of the Senate that the United States should continue to support the people of Nicaragua in their peaceful efforts to promote the restoration of democracy and the defense of human rights, and use the tools under United States law to increase political and economic pressure on the government of Daniel Ortega.

AMENDMENT NO. 1328

At the request of Mr. COONS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 1328 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1337

At the request of Ms. HARRIS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 1337 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1369

At the request of Ms. STABENOW, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 1369 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1370

At the request of Ms. STABENOW, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 1370 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1382

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 1382 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1398

At the request of Ms. DUCKWORTH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 1398 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1399

At the request of Ms. DUCKWORTH, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 1399 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1404

At the request of Mr. BARRASSO, the names of the Senator from Montana (Mr. DAINES), the Senator from Texas (Mr. CORNYN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of amendment No. 1404 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1417

At the request of Mr. HOEVEN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 1417 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1440

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 1440 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1441

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 1441 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1455

At the request of Ms. ROSEN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 1455 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1458

At the request of Mr. TOOMEY, the names of the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), the Senator from West Virginia (Mrs. CAPITO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of amendment No. 1458 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

AMENDMENT NO. 1479

At the request of Mr. ROMNEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 1479 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 527—RECOGNIZING THE LONGSTANDING PARTNERSHIP BETWEEN THE UNITED STATES AND AUSTRALIA TO SHARE CRITICAL FIREFIGHTING RESOURCES DURING TIMES OF CRISIS

Mr. CARDIN (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. CASEY, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. FEINSTEIN, Mr. GARDNER, Ms. HARRIS, Mrs. LOEFFLER, Ms. MCSALLY, Mr. PERDUE, Mr. RISCH, Mr. ROMNEY, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT of Florida, Mrs. SHAHEEN, Ms. SINEMA, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. BRAUN, and Ms. ROSEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 527

Whereas Australia and the United States have long held a unique relationship, marked by close diplomatic, security, and economic cooperation;

Whereas Australia and the United States celebrated 100 years of mateship on July 4, 2018, marking the 100-year anniversary of the Battle of Hamel, which helped turn the tide of World War I;

Whereas the United States and Australia are entering the seventieth anniversary of the Australia, New Zealand, United States Security Treaty (ANZUS Treaty), the 1951 collective security non-binding agreement between Australia and New Zealand and, separately, Australia and the United States, to cooperate on military matters;

Whereas the United States and Australia have shared firefighting resources, including specialist firefighters, for over 15 years;

Whereas the United States and Australia are experiencing some of the hottest and driest weather conditions on record, exacerbating the threat of wildfires and contributing to longer wildfire seasons in both nations;

Whereas over 100 Australian firefighters traveled to the United States in August 2018, to assist with efforts to contain wildfires that threatened communities in California, Oregon, and Washington;

Whereas over 300 American firefighters have been mobilized to Australia since December 2019 to help combat and contain devastating bushfires that have burned over 30,000,000 acres of land; and

Whereas multiple United States agencies, including the Bureau of Land Management, Forest Service, National Park Service, Bureau of Indian Affairs, and Fish and Wildlife Services, have provided American firefighters to help combat Australia's bushfires: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the value of the longstanding partnership between the United States and Australia to share critical firefighting resources during times of crisis;

(2) recognizes the efforts and bravery of Australian firefighters who have not only risked their lives to fight wildfires in their own country but also helped contain several dangerous wildfires in North America;

(3) recognizes the efforts and bravery of American firefighters who have not only risked their lives to fight wildfires in their own country but have also provided their services to combat the bushfires currently ravaging the Australian continent;

(4) honors the ultimate sacrifice of the three American firefighters who lost their lives assisting in fighting Australia's bushfires in the crash of the Large Air Tanker in the Snowy Monaro area of Australia on January 23, 2020, and extends deepest condolences to their families, friends, and colleagues;

(5) expresses full support for the people of Australia as they focus on recovery and rebuilding affected areas and communities;

(6) supports continued partnership between the Commonwealth Scientific and Industrial Research Organisation and United States Federal agencies to share research, technology, and best practices related to wildfire mitigation and suppression; and

(7) supports continued cooperation and greater collaboration between Australia and the United States to mitigate the underlying factors driving extended and more intense wildfire years in both countries.

SENATE RESOLUTION 528—RECOGNIZING THE IMPORTANCE OF THE BLUEBERRY INDUSTRY TO THE UNITED STATES AND DESIGNATING JULY 2020 AS ''NATIONAL BLUEBERRY MONTH''

Ms. STABENOW submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 528

Whereas the blueberry is a fruit native to North America that was first used fresh and dried in food and medicines by Native Americans, who introduced blueberries to early colonists, which led to new uses and forms of blueberries, including frozen, establishing traditions still observed in 2020;

Whereas the pioneering work conducted in New Jersey in the early 1900s by Elizabeth White and Dr. Frederick Coville, a botanist at the Department of Agriculture, to domesticate wild lowbush blueberries resulted in the development of the hybrid for cultivated highbush blueberries;

Whereas, because of those early efforts, highbush blueberries are large, sweet, juicy berries that can be commercially produced and shipped, allowing the highbush blueberry industry to become an important agricultural industry in the United States;

Whereas highbush blueberries—

(1) have a harvested area estimated at more than 97,000 acres; and

(2) are produced in 48 States by more than 14,000 growers and their families;

Whereas highbush blueberry production in the United States has continually increased, with particular growth during the first 2 decades of the 21st century, reaching a harvest of 551,100,000 pounds in 2018;

Whereas blueberries are—

(1) low in fat; and

(2) a source of fiber, vitamins, and minerals;

Whereas blueberries are being studied to examine the role that the berries may play in promoting good health in areas such as cardiovascular health, brain health, exercise, insulin response, and gut health; and

Whereas highbush blueberries are harvested in the United States from April through early September, with the peak of the harvest occurring in July: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 2020 as ''National Blueberry Month'';

(2) recognizes the contributions of blueberry growers in the United States and their families; and

(3) recognizes that purchasing blueberries grown in the United States supports farmers, jobs, and the economy of the United States.

SENATE RESOLUTION 529—DESIGNATING FEBRUARY 29, 2020, AS ''RARE DISEASE DAY''

Mr. BROWN (for himself, Mr. BARRASSO, Mr. MARKEY, Ms. KLOBUCHAR, Mr. BOOKER, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. WICKER, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 529

Whereas a rare disease or disorder is a disease or disorder that affects a small number of patients;

Whereas, in the United States, a rare disease or disorder typically affects fewer than 200,000 individuals;

Whereas, as of the date of the adoption of this resolution, more than 7,000 rare diseases or disorders affect approximately 30,000,000 individuals in the United States and their families;

Whereas children with rare diseases or disorders account for a significant portion of the population affected by rare diseases or disorders in the United States;

Whereas many rare diseases and disorders are serious and life-threatening and lack effective treatments;

Whereas, as a result of the enactment of the Orphan Drug Act (Public Law 97–414; 96 Stat. 2049), important advances have been made in the research and treatment of rare diseases and disorders;

Whereas the Food and Drug Administration has made strides in gathering patient perspectives to inform the drug review process as part of the Patient-Focused Drug Development program, an initiative that was reaffirmed under the FDA Reauthorization Act of 2017 (Public Law 115–52; 131 Stat. 1005);

Whereas, although the Food and Drug Administration has approved more than 840 orphan indications for drugs and biological products for the treatment of rare diseases and disorders, millions of individuals in the United States have a rare disease or disorder for which there is no approved treatment;

Whereas limited treatment options and difficulty obtaining reimbursement for life-altering and lifesaving treatments can be challenging for individuals with rare diseases or disorders and their families;

Whereas rare diseases and disorders include acrodermatitis enteropathica, medulloblastoma, Hartnup disease, mast cell activation syndrome, Usher syndrome, osteosarcoma, Kabuki syndrome, Fanconi anemia, Neurofibromatosis, NGLY1 deficiency, Chandler's syndrome, tularemia, and Joubert syndrome;

Whereas individuals with rare diseases or disorders can experience difficulty in obtaining accurate diagnoses and finding physicians or treatment centers with expertise in their rare disease or disorder;

Whereas the 115th Congress passed a 10-year extension of the Children's Health Insurance Program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), ensuring health insurance coverage for many children with rare diseases or disorders;

Whereas the Food and Drug Administration and the National Institutes of Health support research on the treatment of rare diseases and disorders;

Whereas 2020 marks the 37th anniversary of the enactment of the Orphan Drug Act (Public Law 97–414; 96 Stat. 2049);

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas, in 2020, Rare Disease Day falls on the rarest of days, February 29;

Whereas Rare Disease Day is a global event that was first observed in the United States on February 28, 2009, and was observed in more than 100 countries in 2019; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease and disorder patients around the world: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 29, 2020, as ''Rare Disease Day''; and

(2) recognizes the importance of, with respect to rare diseases and disorders—

(A) improving awareness;

(B) encouraging accurate and early diagnosis; and

(C) supporting national and global efforts to develop effective treatments, diagnostics, and cures.

SENATE RESOLUTION 530—DESIGNATING MARCH 4, 2020, AS ''NATIONAL ASSISTIVE TECHNOLOGY AWARENESS DAY''

Mr. CASEY (for himself and Mr. CRAMER) submitted the following resolution; which was considered and agreed to:

S. RES. 530

Whereas assistive technology is any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capabilities of individuals with disabilities and older adults;

Whereas the term ''assistive technology service'' means any service that directly assists an individual with a disability or an older adult in the selection, acquisition, or use of an assistive technology device;

Whereas, in 2018, the Centers for Disease Control and Prevention reported that 1 in 4 individuals in the United States, or almost 61,000,000 individuals, has a disability;

Whereas, in 2017, the Department of Education reported that there were more than 7,000,000 children with disabilities;

Whereas the Centers for Disease Control and Prevention reported that, among adults 65 years of age and older, 2 in 5 have a disability;

Whereas assistive technology allows individuals with disabilities and older adults to be included in their communities and in inclusive classrooms and workplaces;

Whereas assistive technology devices and services are necessities, not luxury items, for millions of individuals with disabilities and older adults, without which they would be unable to live in their communities, access education, or obtain, retain, and advance gainful, competitive, integrated employment;

Whereas the availability of assistive technology in the workplace promotes economic self-sufficiency, enhances work participation, and is critical to the employment of individuals with disabilities and older adults; and

Whereas State assistive technology programs support a continuum of services that include—

(1) the exchange, repair, recycling, and other reutilization of assistive technology devices;

(2) device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, and others;

(3) the demonstration of devices to inform decision making; and

(4) State financing to help individuals purchase or obtain assistive technology through a variety of initiatives, such as financial loan programs, leasing programs, and other financing alternatives, that give individuals affordable, flexible options to purchase or

obtain assistive technology: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 4, 2020, as ''National Assistive Technology Awareness Day''; and

(2) commends—

(A) assistive technology specialists and program coordinators for their hard work and dedication to serving individuals with disabilities who are in need of finding the proper assistive technology to meet their individual needs; and

(B) professional organizations and researchers dedicated to facilitating the access and acquisition of assistive technology for individuals with disabilities and older adults in need of assistive technology devices.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1480. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table.

SA 1481. Mr. BRAUN (for himself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1482. Mr. BRAUN (for himself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1484. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1485. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1488. Ms. STABENOW (for herself, Mr. UDALL, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1489. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1490. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1491. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1492. Mrs. GILLIBRAND (for Mr. SANDERS (for himself, Mrs . GILLIBRAND, Ms. HARRIS, and Mr. MARKEY)) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1493. Mr. LEE (for himself, Mr. CRUZ, Mr. RISCH, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1494. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1495. Mr. CASSIDY (for himself, Mr. CORNYN, Mr. INHOFE, Mr. LANKFORD, Mrs. HYDE-SMITH, Mr. SULLIVAN, Mr. BARRASSO, Mrs. CAPITO, Mr. RISCH, Mr. CRAMER, Mr. TILLIS, Mr. CRAPO, Mr. BRAUN, Mr. CRUZ, Mr. HOEVEN, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1496. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1497. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1498. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1499. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1500. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1501. Mr. YOUNG (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1502. Mr. BRAUN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1503. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1504. Mr. KENNEDY (for himself, Mr. CARPER, Mr. CASSIDY, Mr. COONS, Ms. COLLINS, Mr. WHITEHOUSE, Mr. YOUNG, Mrs. FEINSTEIN, Mr. MORAN, Mr. SCHATZ, Mr. GRAHAM, Mr. BOOKER, Ms. ERNST, Mr. MERKLEY, Mr. COTTON, Mr. VAN HOLLEN, Mr. GRASSLEY, Mr. MARKEY, Mr. BOOZMAN, Mr. JONES, Mr. BLUNT, Mr. BLUMENTHAL, Mr. PERDUE, Mr. HEINRICH, Mrs. HYDE-SMITH, Mr. CARDIN, Mr. BURR, Mr. MURPHY, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1505. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1506. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 6074, making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table.

SA 1507. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table.

SA 1508. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1509. Ms. MCSALLY (for herself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1510. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill S. 893, to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

SA 1511. Mr. ROMNEY (for himself, Ms. WARREN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table.

SA 1512. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

SA 1513. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1480. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—INTERNET OF THINGS

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Developing Innovation and Growing the Internet of Things Act'' or the ''DIGIT Act''.

SEC. 4002. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds that—

(1) the Internet of Things refers to the growing number of connected and interconnected devices;

(2) estimates indicate that more than 125,000,000,000 devices will be connected to the internet by 2030;

(3) the Internet of Things has the potential to generate trillions of dollars in new economic activity around the world in the transportation, energy, agriculture, manufacturing, and health care sectors and in other sectors that are critical to the growth of the gross domestic product of the United States;

(4) businesses across the United States can develop new services and products, improve

the efficiency of operations and logistics, cut costs, improve worker and public safety, and pass savings on to consumers by utilizing the Internet of Things and related innovations;

(5) the Internet of Things will—

(A) be vital in furthering innovation and the development of emerging technologies; and

(B) play a key role in developing artificial intelligence and advanced computing capabilities;

(6) the United States leads the world in the development of technologies that support the internet, the United States technology sector is well-positioned to lead in the development of technologies for the Internet of Things, and the appropriate prioritization of a national strategy with respect to the Internet of Things would strengthen that position;

(7) the Federal Government can implement this technology to better deliver services to the public; and

(8) the Senate unanimously passed Senate Resolution 110, 114th Congress, agreed to March 24, 2015, calling for a national strategy for the development of the Internet of Things.

(b) SENSE OF CONGRESS.—It is the sense of Congress that policies governing the Internet of Things should—

(1) promote solutions with respect to the Internet of Things that are secure, scalable, interoperable, industry-driven, and standards-based; and

(2) maximize the development and deployment of the Internet of Things to benefit all stakeholders, including businesses, governments, and consumers.

SEC. 4003. DEFINITIONS.

In this title:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(3) STEERING COMMITTEE.—The term ''steering committee'' means the steering committee established under section 4004(e)(1).

(4) WORKING GROUP.—The term ''working group'' means the working group convened under section 4004(a).

SEC. 4004. FEDERAL WORKING GROUP.

(a) IN GENERAL.—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in subsection (b).

(b) DUTIES.—The working group shall—

(1) identify any Federal regulations, statutes, grant practices, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development or deployment of the Internet of Things;

(2) consider policies or programs that encourage and improve coordination among Federal agencies that have responsibilities that are relevant to the objectives of this title;

(3) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations;

(4) examine—

(A) how Federal agencies can benefit from utilizing the Internet of Things;

(B) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(C) the preparedness and ability of Federal agencies to adopt Internet of Things technology as of the date on which the working group performs the examination and in the future; and

(D) any additional security measures that Federal agencies may need to take to—

(i) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

(ii) enhance the resiliency of Federal systems against cyber threats to the Internet of Things; and

(5) in carrying out the examinations required under clauses (i) and (ii) of paragraph (4)(D), ensure to the maximum extent possible the coordination of the current and future activities of the Federal Government relating to security with respect to the Internet of Things.

(c) AGENCY REPRESENTATIVES.—In convening the working group under subsection (a), the Secretary shall have discretion to appoint representatives from Federal agencies and departments as appropriate and shall specifically consider seeking representation from—

(1) the Department of Commerce, including—

(A) the National Telecommunications and Information Administration;

(B) the National Institute of Standards and Technology; and

(C) the National Oceanic and Atmospheric Administration;

(2) the Department of Transportation;

(3) the Department of Homeland Security;

(4) the Office of Management and Budget;

(5) the National Science Foundation;

(6) the Commission;

(7) the Federal Trade Commission;

(8) the Office of Science and Technology Policy;

(9) the Department; and

(10) the Federal Energy Regulatory Commission.

(d) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders with expertise relating to the Internet of Things, including—

(1) the steering committee;

(2) information and communications technology manufacturers, suppliers, service providers, and vendors;

(3) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(4) small, medium, and large businesses;

(5) think tanks and academia;

(6) nonprofit organizations and consumer groups;

(7) security experts;

(8) rural stakeholders; and

(9) other stakeholders with relevant expertise, as determined by the Secretary.

(e) STEERING COMMITTEE.—

(1) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(2) DUTIES.—The steering committee shall advise the working group with respect to—

(A) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(B) situations in which the use of the Internet of Things is likely to deliver significant and scalable economic and societal benefits to the United States, including benefits from or to—

(i) smart traffic and transit technologies;

(ii) augmented logistics and supply chains;

(iii) sustainable infrastructure;

(iv) precision agriculture;

(v) environmental monitoring;

(vi) public safety; and

(vii) health care;

(C) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may exist to providing any spectrum needed in the future;

(D) policies, programs, or multi-stakeholder activities that—

(i) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(ii) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(iii) may protect users of the Internet of Things; and

(iv) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(E) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(F) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(3) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(A) information and communications technology manufacturers, suppliers, service providers, and vendors;

(B) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(C) small, medium, and large businesses;

(D) think tanks and academia;

(E) nonprofit organizations and consumer groups;

(F) security experts;

(G) rural stakeholders; and

(H) other stakeholders with relevant expertise, as determined by the Secretary.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings or recommendations of the steering committee.

(5) INDEPENDENT ADVICE.—

(A) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under paragraph (2).

(B) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study, and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(C) REPORT.—The steering committee shall ensure that the report submitted under paragraph (4) is the result of the independent judgment of the steering committee.

(6) NO COMPENSATION FOR MEMBERS.—A member of the steering committee shall serve without compensation.

(7) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under subsection (f).

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(A) the findings and recommendations of the working group with respect to the duties of the working group under subsection (b);

(B) the report submitted by the steering committee under subsection (e)(4), as the report was received by the working group;

(C) recommendations for action or reasons for inaction, as applicable, with respect to

each recommendation made by the steering committee in the report submitted under subsection (e)(4); and

(D) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(2) COPY OF REPORT.—The working group shall submit a copy of the report described in paragraph (1) to—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) any other committee of Congress, upon request to the working group.

SEC. 4005. ASSESSING SPECTRUM NEEDS.

(a) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(b) REQUIREMENTS.—In issuing the notice of inquiry under subsection (a), the Commission shall seek comments that consider and evaluate—

(1) whether adequate spectrum is available, or is planned for allocation, for commercial wireless services that could support the growing Internet of Things;

(2) if adequate spectrum is not available for the purposes described in paragraph (1), how to ensure that adequate spectrum is available for increased demand with respect to the Internet of Things;

(3) what regulatory barriers may exist to providing any needed spectrum that would support uses relating to the Internet of Things; and

(4) what the role of unlicensed and licensed spectrum is and will be in the growth of the Internet of Things.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the comments submitted in response to the notice of inquiry issued under subsection (a).

SA 1481. Mr. BRAUN (for himself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

SEC. 4001. LIMIT CREDIT FOR NEW QUALIFIED PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES TO VEHICLES COSTING LESS THAN $45,000.

(a) IN GENERAL.—Section 30D(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (E), by striking ''and'' at the end,

(2) in subparagraph (F)(ii), by striking the period at the end and inserting '', and'', and

(3) by adding at the end the following new subparagraph:

''(G) for which the manufacturer's suggested retail price is less than $45,000.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to vehicles sold during any calendar quarter beginning after the date of enactment of this Act.

SA 1482. Mr. BRAUN (for himself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

SEC. 4001. ELIMINATION OF PERSONAL CREDIT BASED ON ADJUSTED GROSS INCOME.

(a) IN GENERAL.—Subsection (c) of section 30D of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2), by inserting ''and (3)'' after ''paragraph (1)'', and

(2) by adding at the end the following new paragraph:

''(3) ELIMINATION OF PERSONAL CREDIT BASED ON ADJUSTED GROSS INCOME.—

''(A) IN GENERAL.—For purposes of paragraph (2), in the case of any new qualified plug-in electric drive motor vehicle which is placed in service by a taxpayer during any taxable year, if the adjusted gross income of such taxpayer for such taxable year exceeds the threshold amount, the amount of the credit otherwise allowable under subsection (a) for such taxable year shall be reduced to zero.

''(B) THRESHOLD AMOUNT.—For purposes of this paragraph, the term 'threshold amount' means—

''(i) in the case of any taxpayer filing a joint return for the taxable year, $326,600, and

''(ii) in the case of any taxpayer not filing a joint return for the taxable year, $163,300.

''(C) INFLATION ADJUSTMENT.—

''(i) IN GENERAL.—In the case of any taxable year beginning after 2020, each of the dollar amounts in subparagraph (B) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins by substituting 'calendar year 2019' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

''(ii) ROUNDING.—If any increase determined under clause (i) is not a multiple of $100, such increase shall be rounded to the nearest multiple of $100.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1808 and insert the following:

SEC. 1808. NO ARPA–E FUNDS.

Funds appropriated to the Department shall not be made available to carry out section 5012 of the America COMPETES Act (42 U.S.C. 16538).

SA 1484. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE IV—MISCELLANEOUS

SEC. 4001. SULFUR HEXAFLUORIDE RESEARCH.

The Secretary shall carry out research to find alternatives for the use of sulfur hexafluoride in power generation and transmission equipment, including circuit breakers, switchgear, and gas insulated lines.

SA 1485. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—MISCELLANEOUS

SEC. 4001. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle D—Miscellaneous

SEC. 24 _____. MINERAL ENTRY AUTHORIZED.

(a) IN GENERAL.—The Federal land described in subsection (b) shall be open to location, entry, and patent under the mining laws.

(b) FEDERAL LAND DESCRIBED.—The Federal land referred to in subsections (a) and (c) is the area of land depicted as ''Mineral Withdrawal'' on the map prepared by the Bureau of Land Management entitled ''Grand Canyon Centennial Protection Act'' and dated February 26, 2019.

(c) LIMITATION ON WITHDRAWAL.—

(1) IN GENERAL.—The Federal land described in subsection (b) may not be withdrawn from location, entry, and patent under the mining laws except by Act of Congress.

(2) APPLICATION OF CERTAIN LAW.—The authority of the Secretary of the Interior under sections 202(e)(3) and 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(e)(3), 1714) shall not apply to the Federal land described in subsection (b).

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—MISCELLANEOUS

SEC. 4001. PROTECTION, MANAGEMENT, AND CONTROL OF WILD FREE-ROAMING HORSES AND BURROS.

Section 3 of Public Law 92–195 (16 U.S.C. 1333) is amended—

(1) in subsection (b)—

(A) by striking the subsection designation and all that follows through ''The Secretary'' in the first sentence of paragraph (1) and inserting the following:

''(b) INVENTORY; OVERPOPULATION; RESEARCH STUDY.—

''(1) INVENTORY.—

''(A) IN GENERAL.—The Secretary'';

(B) in subparagraph (A) of paragraph (1) (as so designated)—

(i) in the third sentence, by striking ''In making such determinations the Secretary'' and inserting the following:

''(C) CONSULTATION.—In making a determination under subparagraph (B), the Secretary''; and

(ii) in the second sentence, by striking ''The purpose of such inventory shall be to: make'' and inserting the following:

''(B) DETERMINATIONS.—The purpose of the inventory under subparagraph (A) shall be to make'';

(C) in paragraph (2)—

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

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

(iii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting the clauses appropriately; and

(iv) by striking the paragraph designation and all that follows through ''management levels. Such action shall be taken, in'' and inserting the following:

''(2) OVERPOPULATION.—

''(A) IN GENERAL.—On a determination by the Secretary in accordance with subparagraph (B) that an overpopulation of wild free-roaming horses or burros exists on a given area of public land, and that action is necessary to remove excess horses or burros, the Secretary shall immediately remove excess horses or burros from the public land range as the Secretary determines to be necessary to achieve appropriate management levels of wild free-roaming horses or burros.

''(B) BASIS OF DETERMINATIONS.—The Secretary shall make a determination under subparagraph (A) on the basis of—

''(i)(I) the current inventory of land within the jurisdiction of the Secretary;

''(II) information contained in any relevant land use planning completed pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

''(III) relevant information contained in court ordered environmental impact statements (as defined in section 3 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1902)); and

''(IV) such additional information as becomes available to the Secretary from time to time, including any information developed in the research study under paragraph (3); or

''(ii) in the absence of information described in clause (i), all information otherwise available to the Secretary.

''(C) APPLICABILITY OF NEPA.—

''(i) IN GENERAL.—During any period with respect to which the Secretary determines under subparagraph (A) that an overpopulation of wild free-roaming horses or burros exists, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to—

''(I) the use of any vehicle, including an all-terrain vehicle or helicopter, that the Secretary determines to be necessary to capture excess wild free-roaming horses or burros; or

''(II) the sterilization by a licensed professional of any male or female wild free-roaming horse or burro.

''(ii) RESUMPTION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply to the activities described in subclauses (I) and (II) of clause (i) beginning on the date on which the Secretary determines that the appropriate management level of wild free-roaming horses or burros has been attained with respect to an applicable area of public land.

''(D) ORDER AND PRIORITY.—An action under subparagraph (A) shall be carried out in''; and

(D) in paragraph (3)—

(i) in the third sentence, by striking ''Such study'' and inserting the following:

''(C) DEADLINE.—The study under this paragraph'';

(ii) in the second sentence, by striking ''The terms and outline of such research study'' and inserting the following:

''(B) RESEARCH DESIGN PANEL.—The terms and outline of the study under this paragraph''; and

(iii) by striking ''(3) For the purpose'' and inserting the following:

''(3) RESEARCH STUDY.—

''(A) IN GENERAL.—For the purpose''; and

(2) in subsection (d)—

(A) in each of paragraphs (2) and (3), by striking ''or'' at the end; and

(B) by striking paragraph (1) and inserting the following:

''(1) on passage of title pursuant to subsection (c), subject to the limitation described in that subsection;''.

SA 1488. Ms. STABENOW (for herself, Mr. UDALL, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 426, strike line 7 and all that follows through page 432, line 6, and insert the following:

(e) PERMITTING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) critical minerals are fundamental to the economy, competitiveness, and security of the United States; and

(B) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States.

(2) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) (referred to in this subsection as the ''Secretaries'') shall submit to Congress a report that—

(A) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(B) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land; and

(C) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for purposes of paragraph (3)(B).

(3) ANNUAL REPORTS.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after the date of enactment of this Act, and annually thereafter, the Secretaries shall submit to Congress a report that—

(A) summarizes the implementation of recommendations, measures, and options identified in subparagraphs (A) and (B) of paragraph (2);

(B) describes progress made by the executive branch, as compared to the baseline established under paragraph (2)(C), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(C) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

SA 1489. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY ON ENVIRONMENTAL IMPACTS OF NEW PLASTIC PRODUCTION FACILITIES.

(a) DEFINITIONS.—In this section:

(1) COVERED FACILITY.—The term ''covered facility'' means—

(A) an industrial facility that transforms natural gas liquids into ethylene and propylene for later conversion into plastic polymers;

(B) a plastic polymerization or polymer production facility; and

(C) an industrial facility that repolymerizes plastic polymers into chemical feedstocks for use in new products or as fuel.

(2) COVERED PRODUCTS.—The term ''covered plastic'' means—

(A) ethylene;

(B) propylene;

(C) polyethylene in any form (including pellets, resin, nurdle, powder, and flakes);

(D) polypropylene in any form (including pellets, resin, nurdle, powder, and flakes);

(E) polyvinyl chloride in any form (including pellets, resin, nurdle, powder, and flakes); or

(F) other plastic polymer raw materials in any form (including pellets, resin, nurdle, powder, and flakes).

(3) ENVIRONMENTAL JUSTICE.—The term ''environmental justice'' means the fair treatment and meaningful involvement of all individuals, regardless of race, color, national origin, educational level, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies to ensure that—

(A) communities of color, indigenous communities, and low-income communities have access to public information and opportunities for meaningful public participation with respect to human health and environmental planning, regulations, and enforcement;

(B) no community of color, indigenous community, or low-income community is exposed to a disproportionate burden of the negative human health and environmental

impacts of pollution or other environmental hazards; and

(C) the 17 principles described in the document entitled ''The Principles of Environmental Justice'', written and adopted at the First National People of Color Environmental Leadership Summit held on October 24 through 27, 1991, in Washington, DC, are upheld.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall offer to enter into an agreement with the National Academy of Sciences and the National Institutes of Health to conduct a study of—

(A) the existing and planned expansion of the industry of the producers of covered products, including the entire supply chain, end uses, disposal fate, and lifecycle impacts of covered products;

(B) the environmental justice and pollution impacts of covered facilities and the products of covered facilities;

(C) the existing standard technologies and practices of covered facilities with respect to the discharge and emission of pollutants into the environment; and

(D) the best available technologies and practices that reduce or eliminate the environmental justice and pollution impacts of covered facilities and the products of covered facilities.

(2) REQUIREMENTS.—The study under paragraph (1) shall—

(A) consider—

(i) the direct, indirect, and cumulative environmental impacts of the industries of covered facilities to date; and

(ii) the impacts of the planned expansion of those industries, including local, regional, national, and international air, water, waste, climate change, public health, and environmental justice impacts of those industries; and

(B) recommend technologies, standards, and practices to remediate or eliminate the local, regional, national, and international air, water, waste, climate change, public health, and environmental justice impacts of covered facilities and the industries of covered facilities.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study under paragraph (1).

SA 1490. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—ENERGY SECURITY COOPERATION

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Energy Security Cooperation with Allied Partners in Europe Act of 2020''.

SEC. 4002. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to reduce the dependency of allies and partners of the United States on Russian energy resources, especially natural gas, in order for those countries to achieve lasting and dependable energy security;

(2) to condemn the Government of the Russian Federation for, and to deter that government from, using its energy resources as a geopolitical weapon to coerce, intimidate, and influence other countries;

(3) to improve energy security in Europe by increasing access to diverse, reliable, and affordable energy;

(4) to promote energy security in Europe by working with the European Union and other allies of the United States to develop liberalized energy markets that provide diversified energy sources, suppliers, and routes;

(5) to continue to strongly oppose the Nord Stream 2 pipeline based on its detrimental effects on the energy security of the European Union and the economy of Ukraine and other countries in Central Europe through which natural gas is transported; and

(6) to support countries that are allies or partners of the United States by expediting the export of energy resources from the United States.

SEC. 4003. NORTH ATLANTIC TREATY ORGANIZATION.

The President should direct the United States Permanent Representative on the Council of the North Atlantic Treaty Organization (in this title referred to as ''NATO'') to use the voice and influence of the United States to encourage NATO member countries to work together to achieve energy security for those countries and countries in Europe and Eurasia that are partners of NATO.

SEC. 4004. TRANSATLANTIC ENERGY STRATEGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States and other NATO member countries should explore ways to ensure that NATO member countries diversify their energy supplies and routes in order to enhance their energy security, including through the development of a transatlantic energy strategy.

(b) TRANSATLANTIC ENERGY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of Energy, shall submit to the appropriate congressional committees a transatlantic energy strategy for the United States—

(A) to enhance the energy security of NATO member countries and countries that are partners of NATO; and

(B) to increase exports of energy, energy technologies, and energy development services from the United States to such countries.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate; and

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

SEC. 4005. EXPEDITED APPROVAL OF EXPORTATION OF NATURAL GAS TO UNITED STATES ALLIES.

(a) IN GENERAL.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by inserting ''(1)'' before ''For purposes'';

(2) by striking ''nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas'' and inserting ''foreign country described in paragraph (2)''; and

(3) by adding at the end the following:

''(2) A foreign country described in this paragraph is—

''(A) a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas;

''(B) a member country of the North Atlantic Treaty Organization;

''(C) subject to paragraph (3), Japan; and

''(D) any other foreign country if the Secretary of State, in consultation with the Secretary of Defense, determines that exportation of natural gas to that foreign country would promote the national security interests of the United States.

''(3) The exportation of natural gas to Japan shall be deemed to be consistent with the public interest pursuant to paragraph (1), and applications for such exportation shall be granted without modification or delay under that paragraph, during only such period as the Treaty of Mutual Cooperation and Security, signed at Washington January 19, 1960, and entered into force June 23, 1960 (11 UST 1632; TIAS 4509), between the United States and Japan, remains in effect.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to applications for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) that are pending on, or filed on or after, the date of the enactment of this Act.

SA 1491. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

In section 2304(b)(4), strike ''or 2306''.

Strike section 2306.

SA 1492. Mrs. GILLIBRAND (for Mr. SANDERS (for himself, Mrs. GILLIBRAND, Ms. HARRIS, and Mr. MARKEY)) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 15___. POST-SHUTDOWN DECOMMISSIONING ACTIVITIES REPORTS.

(a) IN GENERAL.—Chapter 10 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.) is amended by adding at the end the following:

''SEC. 113. POST-SHUTDOWN DECOMMISSIONING ACTIVITIES REPORTS.

''a. DEFINITIONS.—In this section:

''(1) AFFECTED STATE.—The term 'affected State' means—

''(A) the host State of a covered facility; and

''(B) each State located within 50 miles of a covered facility.

''(2) COMMISSION.—The term 'Commission' means the Nuclear Regulatory Commission.

''(3) COVERED FACILITY.—The term 'covered facility' means a facility of a licensee for which a PSDAR is required.

''(4) HOST STATE.—The term 'host State' means the State in which a covered facility is located.

''(5) LICENSE; LICENSEE.—The terms 'license' and 'licensee' have the meanings given those terms in section 50.2 of title 10, Code of Federal Regulations (or successor regulations).

''(6) PSDAR.—The term 'PSDAR' means a post-shutdown decommissioning activities report submitted to the Commission and affected States under section 50.82(a)(4)(i) of title 10, Code of Federal Regulations (or successor regulations).

''(7) TRANSFEREE.—The term 'transferee' means an entity to which a licensee proposes to transfer a license for a covered facility.

''(8) TRIBAL GOVERNMENT.—The term 'Tribal government' means the governing body of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''b. CONSULTATION REQUIRED.—Notwithstanding any other provision of law (including regulations), a licensee may not submit

to the Commission a proposed PSDAR, or transfer to another entity the license, for a covered facility until the licensee and the transferee, if applicable, conduct consultation regarding the development of the proposed PSDAR or the proposed license transfer, as applicable, with—

''(1) each affected State; and

''(2) each unit of State government or Tribal government that—

''(A) is located in an affected State; and

''(B) has jurisdiction over land located within 50 miles of the covered facility.

''c. SUBMISSION TO COMMISSION; ADDITIONAL CONSULTATION.—

''(1) IN GENERAL.—After carrying out the consultation required under subsection b. with respect to a proposed PSDAR or transfer of a license for a covered facility, the licensee shall—

''(A) submit to the Commission, as applicable—

''(i) the proposed PSDAR; or

''(ii) an application for transfer of a license; and

''(B) subject to paragraph (3), make the proposed PSDAR or application for transfer of a license, as applicable, available to the public.

''(2) PUBLIC AVAILABILITY.—On receipt of a proposed PSDAR or notice of a proposed license transfer under paragraph (1)(A), the Commission shall, subject to paragraph (3), make the proposed PSDAR or application for transfer of a license, as applicable, available to the public.

''(3) EXCLUSION OF CERTAIN INFORMATION.—In making a proposed PSDAR or application for transfer of a license, as applicable, available to the public under paragraph (1)(B) or (2), the Commission or the licensee, as applicable, may redact such information as the Commission or the licensee, as applicable, determines to be necessary to protect—

''(A) trade secrets and commercial or financial information under section 552(b)(4) of title 5, United States Code; or

''(B) national security.

''d. PUBLIC PARTICIPATION.—For a period of not less than 90 days beginning on the date on which a licensee submits a proposed PSDAR to the Commission under subsection c. (1)(A) or the date on which the Commission dockets an application for transfer of a license under section 2.101 of title 10, Code of Federal Regulations (or successor regulations), as applicable, the Commission shall solicit in the host State public comments regarding the proposed PSDAR or notice of proposed license transfer, including through—

''(1) the solicitation of written comments; and

''(2) the conduct of not fewer than 2 public meetings.

''e. SUPPORT, CONDITIONAL SUPPORT, OR NONSUPPORT BY HOST STATE.—

''(1) IN GENERAL.—Not later than 60 days after the date of receipt of a proposed PSDAR or the date on which the Commission dockets an application for transfer of a license under section 2.101 of title 10, Code of Federal Regulations (or successor regulations), as applicable, for a covered facility, the Commission shall notify the host State of the opportunity to file with the Commission, by the date that is 60 days after the date on which the host State receives the notification—

''(A) a statement of support for the proposed PSDAR or license transfer;

''(B) a statement of conditional support for the proposed PSDAR or license transfer, together with specific recommendations for changes that could lead the host State to support the proposed PSDAR or license transfer; or

''(C) a statement of nonsupport for the proposed PSDAR or license transfer.

''(2) STATEMENT OF SUPPORT OR NONSUPPORT; FAILURE TO SUBMIT.—

''(A) IN GENERAL.—If the host State files with the Commission a statement of support under paragraph (1)(A) or a statement of nonsupport under paragraph (1)(C), or fails to file a statement with the Commission by the deadline specified in paragraph (1), the Commission shall issue a determination regarding whether the proposed PSDAR is adequate or inadequate or a determination regarding whether to provide consent for the proposed license transfer, as applicable—

''(i) based on the considerations described in subparagraph (B); and

''(ii) after taking into consideration—

''(I) any written comments submitted by the host State, other affected States, and local communities with respect to the proposed PSDAR or license transfer; and

''(II) any input from the public under subsection d.

''(B) CONSIDERATIONS.—The Commission shall consider a proposed PSDAR or license transfer to be adequate under subparagraph (A) if the Commission determines that—

''(i) the proposed PSDAR or license transfer provides for—

''(I) the overall protection of human health and the environment; and

''(II) adequate protection to the health and safety of the public and the common defense and security;

''(ii) the licensee (and, if applicable, the transferee) has a substantial likelihood of implementing the proposed PSDAR or license transfer within the timeframe described in the proposed PSDAR or license transfer application;

''(iii) the proposed PSDAR or license transfer is in accordance with applicable law (including regulations); and

''(iv) the licensee (and, if applicable, the transferee) has demonstrated that the licensee has, or will have, the funds required to fully implement the proposed PSDAR or license transfer within the timeframe described in the proposed PSDAR or license transfer application, based on—

''(I) a comprehensive radiological site assessment and characterization; and

''(II) a nonradiological site assessment and characterization conducted by the host State.

''(C) DETERMINATION OF ADEQUACY.—Subject to paragraph (4), if the Commission determines that a proposed PSDAR or license transfer is adequate under subparagraphs (A) and (B), the Commission shall issue a decision document approving the PSDAR or license transfer.

''(D) DETERMINATION OF INADEQUACY.—If the Commission determines that a proposed PSDAR or license transfer is inadequate under subparagraphs (A) and (B)—

''(i) the Commission shall issue a decision document rejecting the proposed PSDAR or license transfer, including a description of the reasons for the decision, by the applicable deadline under paragraph (4); and

''(ii) not later than 2 years after the date of cessation of operations at the applicable covered facility, the licensee shall develop and submit to the Commission a new proposed PSDAR or license transfer in accordance with this section.

''(3) CONDITIONAL SUPPORT BY HOST STATE.—

''(A) IN GENERAL.—In any case in which the host State files with the Commission a statement of conditional support of a proposed PSDAR or license transfer under paragraph (1)(B), the Commission shall determine whether the proposed PSDAR or license transfer is permissible under applicable law (including regulations).

''(B) CHANGES.—Notwithstanding the adequate protection of public health and safety or the common defense and security, for each change recommended by the host State under paragraph (1)(B), the Commission shall—

''(i) provide for the inclusion of the change into the final PSDAR or license transfer, unless the Commission determines the change to be inappropriate for inclusion, based on clear and convincing evidence that—

''(I) the change violates applicable law; or

''(II) the total costs of the change substantially outweigh the safety, economic, or environmental benefits of the change to the host State; and

''(ii) if applicable, provide the rationale for each determination of inappropriateness under clause (i).

''(C) DECISION DOCUMENT.—

''(i) IN GENERAL.—Subject to paragraph (4), based on the determinations made under subparagraphs (A) and (B), the Commission shall issue a decision document relating to a proposed PSDAR or license transfer that, as applicable—

''(I) approves the proposed PSDAR or license transfer with any changes recommended by the host State that are not determined to be inappropriate under subparagraph (B); or

''(II) rejects the proposed PSDAR or license transfer.

''(ii) APPLICABLE LAW.—A decision document issued under clause (i) or subparagraph (C) or (D)(i) of paragraph (2) shall be considered to be a final order entered in a proceeding under section 189 a.

''(D) TREATMENT ON APPROVAL.—On approval by the Commission of a proposed PSDAR or license transfer under subparagraph (C)(i)(I) or paragraph (2)(C)—

''(i) the PSDAR or approval of the license transfer by the Commission shall be final; and

''(ii) the licensee may begin implementation of the PSDAR.

''(E) REJECTION.—If the Commission rejects a proposed PSDAR or license transfer under subparagraph (C)(i)(II), not later than 2 years after the date of cessation of operations at the applicable covered facility, the licensee shall develop and submit to the Commission a new proposed PSDAR or license transfer in accordance with this section.

''(4) DEADLINE FOR DECISION DOCUMENT.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Commission shall issue a decision document relating to a proposed PSDAR or license transfer under subparagraph (C) or (D)(i) of paragraph (2) or paragraph (3)(C)(i) by not later than 1 year after the date on which the proposed PSDAR or an application for transfer of a license, as applicable, is submitted to the Commission under subsection c. (1)(A).

''(B) PROPOSED INTERMEDIATE LICENSE TRANSFERS.—

''(i) DEFINITION OF PROPOSED INTERMEDIATE LICENSE TRANSFER.—In this subparagraph, the term 'proposed intermediate license transfer' means a proposed transfer of license—

''(I) for a covered facility on behalf of which a proposed PSDAR has been submitted by the licensee to the Commission under subsection c. (1)(A)(i); and

''(II) the notice of which is submitted to the Commission under subsection c. (1)(A)(ii) before the applicable deadline under subparagraph (A) for the issuance by the Commission of a decision document relating to the proposed PSDAR described in subclause (I).

''(ii) DEADLINE.—Subject to subparagraph (C), in any case in which a licensee submits to the Commission a notice of a proposed intermediate license transfer of a covered facility, the Commission shall issue a decision

document relating to the proposed PSDAR of the covered facility by not later than 1 year after the date of receipt of the application for transfer of a license.

''(C) EXTENSION.—If there are unforeseen circumstances, including unexpected technical issues, site-specific characteristics, or other external factors that could affect the ability of the Commission to issue a decision document by a deadline specified in subparagraph (A) or (B)(ii), the Commission may extend the applicable deadline for a reasonable period of time, as determined by the Commission.

''f. ADDITIONAL REQUIREMENTS.—

''(1) ACTION BY TRANSFEREES.—On transfer of a license for a covered facility by a licensee to a transferee in accordance with this section, the transferee shall conduct consultation in accordance with subsection b. with respect to each proposed PSDAR developed by the transferee for the covered facility.

''(2) STATE ENVIRONMENTAL LAW COMPLIANCE.—Notwithstanding any other provision of this section, the Commission shall not approve a proposed PSDAR or license transfer under this section unless the proposed PSDAR or license transfer for a covered facility includes a requirement that the licensee and the transferee, if applicable, shall comply with applicable State law relating to air, water, or soil quality or radiological standards with respect to the implementation of the proposed PSDAR or license transfer in any case in which the applicable State law is more restrictive than an applicable Federal law.

''g. APPLICATION TO EXISTING DECOMMISSIONING ACTIVITIES.—

''(1) IN GENERAL.—The Commission shall notify—

''(A) each licensee or transferee, if applicable, of the opportunity to develop and submit to the Commission for approval a revised PSDAR for any covered facility of the licensee for which, as of the date of enactment of this section—

''(i) decontamination and dismantlement activities described in the PSDAR have not commenced at the covered facility; or

''(ii) decontamination and dismantlement activities described in the PSDAR have been commenced at the covered facility for a period of less than 5 years; and

''(B) each affected State with respect to a covered facility described in subparagraph (A) of the opportunity to consult with a licensee or transferee described in that subparagraph in accordance with subsection b.

''(2) PROCESS.—

''(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), if a licensee or transferee described in paragraph (1)(A) elects to submit to the Commission a revised PSDAR under that paragraph, the process for consideration and approval of the revised PSDAR shall be carried out in accordance with—

''(i) the process for consideration and approval of a proposed PSDAR for a covered facility under subsections b., c., d., and f.; and

''(ii) the process for support, conditional support, or nonsupport by the host State under subsection e.

''(B) NONSELECTION.—If a licensee or transferee described in paragraph (1)(A) elects not to revise an original PSDAR under that paragraph, the host State may file a statement of support, conditional support, or nonsupport for the original PSDAR in accordance with the process for support, conditional support, or nonsupport by a host State under subsection e.

''(3) DECISION DOCUMENT.—A decision document for a revised PSDAR submitted under paragraph (1)(A), or for an original PSDAR in any case in which the licensee or transferee elects not to revise the original PSDAR, shall be issued in accordance with subparagraph (C) or (D)(I) of subsection e. (2) or subsection e. (3)(C), as applicable, except that the Commission shall issue the decision document by the date that is 1 year after the date on which the applicable decontamination and dismantlement activities commence at the applicable covered facility.

''(4) REVISION AFTER DETERMINATION OF INADEQUACY.—If the Commission rejects a revised PSDAR submitted by a licensee or transferee under paragraph (1)(A) in accordance with subsection e. (2)(D) or subsection e. (3)(E), the licensee or transferee shall develop and submit to the Commission a new revised PSDAR in accordance with this subsection by not later than 2 years after the date of the rejection.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Atomic Energy Act of 1954 is amended—

(A) in section 103 (42 U.S.C. 2133)—

(i) in subsection d., in the second sentence, by striking ''any any'' and inserting ''any''; and

(ii) by redesignating subsection f. as subsection e.; and

(B) in section 111 (42 U.S.C. 2141), by striking the section designation and all that follows through ''The Nuclear'' in subsection a. and inserting the following:

''SEC. 111. LICENSING BY NUCLEAR REGULATORY COMMISSION OF DISTRIBUTION OF CERTAIN MATERIALS BY DEPARTMENT OF ENERGY.

''a. The Nuclear''.

(2) TABLE OF CONTENTS.—The table of contents of the Atomic Energy Act of 1954 (68 Stat. 919; 126 Stat. 2216) is amended by striking the items relating to chapter 10 of title I and inserting the following:

''CHAPTER 10. ATOMIC ENERGY LICENSES

''Sec. 101. License required.
''Sec. 102. Utilization and production facilities for industrial or commercial purposes.
''Sec. 103. Commercial licenses.
''Sec. 104. Medical therapy and research and development.
''Sec. 105. Antitrust provisions.
''Sec. 106. Classes of facilities.
''Sec. 107. Operators' licenses.
''Sec. 108. War or national emergency.
''Sec. 109. Component and other parts of facilities.
''Sec. 110. Exclusions.
''Sec. 111. Licensing by Nuclear Regulatory Commission of distribution of certain materials by Department of Energy.
''Sec. 112. Domestic medical isotope production.
''Sec. 113. Post-shutdown decommissioning activities reports.''.

(c) ECONOMIC ADJUSTMENT ASSISTANCE FOR COMMUNITY ADVISORY BOARDS.—

(1) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Economic Development Administration.

(B) COMMUNITY ADVISORY BOARD.—

(i) IN GENERAL.—The term ''community advisory board'' means a local community committee or other advisory organization established for the purpose of fostering communication and information exchange between—

(I) a licensee planning for, and involved in, the decommissioning of a nuclear facility owned or operated by the licensee; and

(II) members of a community that the decommissioning referred to in subclause (I) may affect.

(ii) INCLUSIONS.—The term ''community advisory board'' includes an organization described in clause (i) that is—

(I) sponsored by a licensee; or

(II) required under applicable State law (including regulations).

(C) LICENSEE.—The term ''licensee'' means a person licensed by the Nuclear Regulatory Commission under chapter 10 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.).

(2) AUTHORIZATION OF ASSISTANCE.—Notwithstanding any other provision of law, the Administrator shall establish a program under which the Administrator shall provide to community advisory boards economic adjustment assistance grants under section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) or any other economic adjustment assistance program of the Administrator.

(3) ELIGIBILITY.—A community advisory board shall be eligible to receive a grant under this subsection if, as determined by the Administrator, the community advisory board—

(A) is composed of an organized group of individuals (including local community leaders and elected officials, State representatives, and staff of the applicable licensee) interested in safe decommissioning practices and spent nuclear fuel management at a nuclear facility that is—

(i)(I) undergoing decommissioning; or

(II) projected to undergo decommissioning not later than 3 years after the date on which an application is submitted under subparagraph (C); and

(ii) located in the area in which the individuals reside or are employed;

(B) has in effect a governing charter to establish the roles and responsibilities of members; and

(C) submits to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(4) USE OF FUNDS.—A grant provided under this subsection—

(A) may be used for the administrative costs of the recipient community advisory board, including the costs of—

(i) staffing; and

(ii) hiring any expert or other professional to assist the community advisory board in navigating the decommissioning process to ensure that the understanding and relevant capabilities of the community advisory board are equivalent to those of industry stakeholders, including the applicable licensee; but

(B) shall not be used for any economic development activity.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection $5,000,000 for each of fiscal years 2021 through 2025.

SA 1493. Mr. LEE (for himself, Mr. CRUZ, Mr. RISCH, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SMALL REFINERY EXEMPTIONS.

Section 211(o)(9) of the Clean Air Act (42 U.S.C. 7545(o)(9)) is amended—

(1) in subparagraph (A)(ii)(II), by inserting ''grant or'' after ''the Administrator shall''; and

(2) in subparagraph (B)(i), by inserting ''for a new exemption or'' after ''the Administrator''.

SA 1494. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—REPEAL OF ENERGY TAX EXPENDITURES

SEC. 4001. SHORT TITLE; ETC.

(a) SHORT TITLE.—This title may be cited as the ''Energy Tax Expenditure Repeal Act of 2020''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 4002. REPEAL OF CREDIT FOR NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 is amended by striking section 25C (and by striking the item relating to such section in the table of sections of such subpart).

(b) CONFORMING AMENDMENT.—Section 1016(a) is amended by striking paragraph (33).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2017.

SEC. 4003. REPEAL OF CREDIT FOR RESIDENTIAL ENERGY EFFICIENT PROPERTY.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 is amended by striking section 25D (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 23(c)(1) is amended by striking ''and section 25D''.

(2) Section 25(e)(1)(C) is amended by striking ''sections 23 and 25D'' and inserting ''section 23''.

(3) Section 1016(a) is amended by striking paragraph (34).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4004. REPEAL OF ALTERNATIVE MOTOR VEHICLE CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 is amended by striking section 30B (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended by striking paragraph (24).

(2) Section 1016(a) is amended by striking paragraph (35).

(3) Section 6501(m) is amended by striking ''30B(h)(9),''.

(4) Section 301(3)(B) of the Energy Policy Act of 1992 (42 U.S.C. 13211(3)(B)) is amended—

(A) in clause (i), by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 30B(b)(3) of title 26'',

(B) in clause (ii), by inserting '', as in effect on the day before the date of the enactment of that Act'' after ''section 30B(c)(3) of that title'', and

(C) in clause (iii), by inserting '', as in effect on the day before the date of the enactment of that Act'' after ''section 30B(d)(3) of that title''.

(5) Section 508(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13258(a)(2)) is amended by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 30B(d)(3) of title 26''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property purchased after December 31, 2017.

SEC. 4005. REPEAL OF ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 is amended by striking section 30C (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended by striking paragraph (25).

(2) Section 55(c)(3) is amended by striking ''sections 30C(d)(2) and 38(c)'' and inserting ''section 38(c)''.

(3) Section 1016(a) is amended by striking paragraph (36).

(4) Section 6501(m) is amended by striking ''30C(e)(5),''.

(5) Section 244(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17052(b)) is amended by striking paragraph (6).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2017.

SEC. 4006. REPEAL OF CREDIT FOR NEW QUALIFIED PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 is amended by striking section 30D (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended by striking paragraph (30).

(2) Section 1016(a) is amended by striking paragraph (37).

(3) Section 6501(m) is amended by striking ''30D(e)(4),''.

(4) Section 166(b)(5)(A)(ii) of title 23, United States Code, is amended by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 30D(d)(1) of the Internal Revenue Code of 1986''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to vehicles acquired after December 31, 2020.

SEC. 4007. REPEAL OF ENHANCED OIL RECOVERY CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 43 (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended by striking paragraph (6).

(2) Section 45K(b) is amended by striking paragraph (5).

(3) Section 196(c) is amended by striking paragraph (5).

(4) Section 6501(m) is amended by striking ''43,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2020.

SEC. 4008. REPEAL OF CREDIT FOR ELECTRICITY PRODUCED FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 45 (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38 is amended—

(A) in subsection (b), by striking paragraph (8), and

(B) in subsection (c)(4)(B), by striking clauses (iv) and (v).

(2) Section 45K(g)(2) is amended by striking subparagraph (E).

(3) Section 55(c)(1) is amended by striking ''45(e)(11)(C),''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4009. REPEAL OF CREDIT FOR PRODUCING OIL AND GAS FROM MARGINAL WELLS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 45I (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENT.—Section 38(b) is amended by striking paragraph (19).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 4010. REPEAL OF CREDIT FOR PRODUCTION FROM ADVANCED NUCLEAR POWER FACILITIES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 45J (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended by striking paragraph (21).

(2) Section 501(c)(12) is amended by striking subparagraph (I).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to electricity produced and sold after December 31, 2020.

SEC. 4011. REPEAL OF NEW ENERGY EFFICIENT HOME CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 45L (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) is amended by striking paragraph (23).

(2) Section 196(c) is amended—

(A) by inserting ''and'' at the end of paragraph (12),

(B) by striking paragraph (13), and

(C) by redesignating paragraph (14) as paragraph (13).

(3) Section 1016(a) is amended by striking paragraph (32).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to homes acquired after December 31, 2017.

SEC. 4012. REPEAL OF CREDIT FOR CARBON OXIDE SEQUESTRATION.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by striking section 45Q (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENT.—Section 38(b) is amended by striking paragraph (29).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 4013. REPEAL OF ENERGY CREDIT.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 is amended by striking section 48 (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENTS.—

(1) Section 38(c)(4)(B) is amended by striking clause (x).

(2) Section 45K(b)(3)(A)(i)(III) is amended by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 48(a)(4)(C)''.

(3) Section 168(e)(3)(B)(vi)(I) is amended by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 48(a)(3)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4014. REPEAL OF QUALIFYING ADVANCED COAL PROJECT CREDIT.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 is amended by striking section 48A (and by striking the item relating to such section in the table of sections for such subpart).

(b) CONFORMING AMENDMENT.—Section 411 of the Energy Policy Act of 2005 (42 U.S.C. 15971) is amended by striking subsection (d).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4015. REPEAL OF QUALIFYING GASIFICATION PROJECT CREDIT.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 is amended by striking section 48B (and by striking the item relating to such section in the table of sections for such subpart).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4016. REPEAL OF QUALIFYING ADVANCED ENERGY PROJECT CREDIT.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 is amended by striking section 48C (and by striking the item relating to such section in the table of sections for such subpart).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4017. REPEAL OF EXCLUSION OF ENERGY CONSERVATION SUBSIDIES PROVIDED BY PUBLIC UTILITIES.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by striking section 136 (and by striking the item relating to such section in the table of sections for such part).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after December 31, 2020.

SEC. 4018. EXPENSING OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 is amended by inserting after section 176 the following new section:

"SEC. 177. GEOLOGICAL AND GEOPHYSICAL EXPENDITURES.

''(a) TREATMENT AS EXPENSES.—A taxpayer may elect to treat any geological and geophysical expenses paid or incurred in connection with the exploration for, or development of, oil or gas within the United States (as defined in section 638) which are paid or incurred by the taxpayer during the taxable year as expenses which are not chargeable to capital account. The expenditures so treated shall be allowed as a deduction.

''(b) ELECTION.—An election under subsection (a) shall be made at such time and in such manner as the Secretary prescribes by regulations.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 167 is amended by striking subsection (h).

(2) Section 263A(c)(3) is amended by striking ''167(h),''.

(3) The table of sections for part VI of subchapter B of chapter 1 is amended by inserting after the item relating to section 176 the following new item:

''Sec. 177. Geological and geophysical expenditures.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2020.

SEC. 4019. PERMANENT EXPENSING OF COSTS RELATED TO SPECIFIED ENERGY PROPERTY.

(a) IN GENERAL.—Section 168(k) is amended by adding at the end the following new paragraph:

''(11) PERMANENT EXPENSING OF COSTS RELATED TO SPECIFIED ENERGY PROPERTY.—

''(A) IN GENERAL.—In the case of any specified energy property—

''(i) paragraphs (2)(A)(iii) and (8) shall not apply, and

''(ii) the applicable percentage shall be 100 percent.

''(B) SPECIFIED ENERGY PROPERTY.—For purposes of this paragraph, the term 'specified energy property' means any qualified property which is described in—

''(i) clause (vi) of subparagraph (B) of subsection (e)(3),

''(ii) clauses (iii) and (iv) of subparagraph (C) of such subsection,

''(iii) clause (iii) or (iv) of subparagraph (D) of such subsection, or

''(iv) clauses (iii) through (vi) of subparagraph (E) of such subsection.''.

(b) CONFORMING AMENDMENT.—Section 168(k)(6)(A) is amended by inserting ''or paragraph (11)'' after ''this paragraph''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4020. PERMANENT EXPENSING OF COSTS RELATED TO CERTAIN ATMOSPHERIC POLLUTION CONTROL FACILITIES.

(a) IN GENERAL.—Paragraph (11) of section 168(k), as added by section 4019 of this Act, is amended—

(1) in the heading, by inserting ''AND CERTAIN ATMOSPHERIC POLLUTION CONTROL FACILITIES'' after ''SPECIFIED ENERGY PROPERTY'', and

(2) in subparagraph (A), by inserting ''or any atmospheric pollution control facility (as described in section 169(d)(5))'' after ''specified energy property''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2020.

SEC. 4021. REPEAL OF DEDUCTION FOR ENERGY EFFICIENT COMMERCIAL BUILDINGS.

(a) IN GENERAL.—Part VI of subchapter B of chapter 1 is amended by striking section 179D (and by striking the item relating to such section in the table of sections for such part).

(b) CONFORMING AMENDMENT.—

(1) Section 263(a)(1) is amended—

(A) in subparagraph (I), by adding ''or'' at the end,

(B) by striking subparagraph (J), and

(C) by redesignating subparagraph (K) as subparagraph (J).

(2) Section 312(k)(3)(B) is amended by striking '', 179D'' each place it appears.

(3) Section 1016(a) is amended by striking paragraph (31).

(4) Section 1245(a) is amended—

(A) in paragraph (2)(C), by striking ''179,'', and

(B) in paragraph (3)(C), by striking ''179,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2017.

SEC. 4022. REPEAL OF PERCENTAGE DEPLETION.

(a) IN GENERAL.—Part I of subchapter I of chapter 1 is amended by striking sections 613 and 613A (and by striking the items relating to such sections in the table of sections for such part).

(b) CONFORMING AMENDMENTS.—

(1) Section 45H(d) is amended by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 613A(d)(3)''.

(2) Section 57(a)(1) is amended by striking the second sentence.

(3) Section 263(i)(2)(A) is amended by striking ''(determined without regard to section 613)''.

(4) Section 291(a) is amended by striking paragraph (2).

(5) Section 381(c) is amended by striking paragraph (18).

(6) Section 465(c)(1)(E) is amended by inserting '', as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020'' after ''section 613(e)(2)''.

(7) Section 611(a) is amended by striking the second sentence.

(8) Section 614(d) is amended by striking ''includes only'' and all that follows and inserting ''includes only an interest burdened by the costs of production.''.

(9) Section 631(c) is amended by striking the second sentence.

(10) Section 636(a) is amended by striking ''(for purposes of section 613)''.

(11) Section 705(a) is amended—

(A) in paragraph (1), by adding ''and'' at the end of subparagraph (C),

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

(C) by striking paragraph (3).

(12) Section 901(e)(1)(A) is amended by striking ''(or, if smaller'' and all that follows through ''under section 613)''.

(13) Section 993(c)(2)(C) is amended by inserting ''(as each such section was in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020)'' after ''section 613 or 613A''.

(14) Section 1202(e)(3)(D) is amended by inserting ''(as each such section was in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020)'' after ''section 613 or 613A''.

(15) Section 1367(a)(2) is amended by adding ''and'' at the end of subparagraph (C), by striking '', and'' at the end of subparagraph (D) and inserting a period, and by striking subparagraph (E).

(16) Section 1446(c) is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(17) Section 4612(a)(7) is amended by inserting ''(as in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020)'' after ''section 613''.

(18) Section 4940(c)(3)(B) is amended—

(A) by striking clause (ii), and

(B) by striking all that precedes ''The deduction provided'' and inserting the following:

''(B) MODIFICATIONS.—For purposes of subparagraph (A), the deduction provided''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 4023. REPEAL OF CREDIT FOR ALCOHOL FUEL, BIODIESEL, AND ALTERNATIVE FUEL MIXTURES.

(a) IN GENERAL.—Subchapter B of chapter 65 of subtitle F is amended by striking section 6426 (and by striking the item relating to such section in the table of sections for such subchapter).

(b) CONFORMING AMENDMENTS.—

(1) Section 40(c) is amended by striking '', section 6426,''.

(2) Section 40A is amended—

(A) in subsection (c), by striking ''6426 or'', and

(B) in subsection (f)(4)(B), by striking ''and section 6426(c)''.

(3) Section 4101(a)(1) is amended by inserting ''(as each such section was in effect on the day before the date of the enactment of the Energy Tax Expenditure Repeal Act of 2020)'' after ''section 6426(b)(4)(A)''.

(4) Section 4104(a)(2) is amended by striking '', 6426,''.

(5) Section 6427 is amended—

(A) by striking subsection (e), and

(B) in subsection (i), by striking paragraph (3).

(6) Section 9503(b)(1) is amended by striking ''taxes received under sections 4041 and

4081 shall be determined without reduction for credits under section 6426 and''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2020.

SEC. 4024. CONFORMING AMENDMENTS RELATING TO MULTIPLE SECTIONS.

(a) IN GENERAL.—

(1) AT-RISK RULES.—Section 49(a)(1)(C) is amended by striking ''means'' and all that follows through the period and inserting ''means the portion of the basis of any qualified rehabilitated building attributable to qualified rehabilitation expenditures.''.

(2) PROGRESS EXPENDITURES FOR INVESTMENT CREDIT PROPERTY.—Section 50(a)(2) is amended by striking subparagraph (E).

(3) APPLICABLE SECTION 38 CREDITS.—Section 59A(b)(4) is amended by striking ''properly allocable'' and all that follows through the period and inserting ''properly allocable to the low-income housing credit determined under section 42(a).''.

(4) AMOUNT OF INVESTMENT CREDIT.—Section 46 is amended—

(A) in paragraph (1), by inserting ''and'' at the end,

(B) by striking paragraphs (2) through (5), and

(C) by redesignating paragraph (6) as paragraph (2).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SA 1495. Mr. CASSIDY (for himself, Mr. CORNYN, Mr. INHOFE, Mr. LANKFORD, Mrs. HYDE-SMITH, Mr. SULLIVAN, Mr. BARRASSO, Mrs. CAPITO, Mr. RISCH, Mr. CRAMER, Mr. TILLIS, Mr. CRAPO, Mr. BRAUN, Mr. CRUZ, Mr. HOEVEN, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1701 through 1705 and insert the following:

SEC. 1701. OBJECTIVES.

The objectives of this subtitle are—

(1) to establish a consistent and consolidated authority for the vehicle technology program at the Department;

(2) to develop United States technologies and practices that improve the fuel efficiency and emissions of all vehicles produced in the United States;

(3) to support domestic research, development, engineering, demonstration, and commercial application and manufacturing of advanced vehicles, engines, and components;

(4) to enable vehicles to move larger volumes of goods and more passengers with less energy and emissions;

(5) to develop cost-effective advanced technologies for wide-scale utilization throughout the passenger, commercial, government, and transit vehicle sectors;

(6) to allow for greater consumer choice of vehicle technologies and fuels;

(7) shorten technology development and integration cycles in the vehicle industry;

(8) to ensure a proper balance and diversity of Federal investment in vehicle technologies; and

(9) to strengthen partnerships between Federal and State governmental agencies and the private and academic sectors.

SEC. 1702. COORDINATION AND NONDUPLICATION.

The Secretary shall ensure, to the maximum extent practicable, that the activities authorized by this subtitle do not duplicate those of other programs within the Department or other relevant research agencies.

SEC. 1703. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary for research, development, engineering, demonstration, and commercial application of vehicles and related technologies in the United States, including activities authorized under this subtitle—

(1) for fiscal year 2021, $313,567,000;

(2) for fiscal year 2022, $326,109,000;

(3) for fiscal year 2023, $339,154,000;

(4) for fiscal year 2024, $352,720,000; and

(5) for fiscal year 2025, $366,829,000.

SEC. 1704. REPORTING.

(a) TECHNOLOGIES DEVELOPED.—Not later than 18 months after the date of enactment of this Act and annually thereafter through 2025, the Secretary shall submit to Congress a report regarding the technologies developed as a result of the activities authorized by this subtitle, with a particular emphasis on whether the technologies were successfully adopted for commercial applications, and if so, whether products relying on those technologies are manufactured in the United States.

(b) ADDITIONAL MATTERS.—At the end of each fiscal year through 2025, the Secretary shall submit to the relevant Congressional committees of jurisdiction an annual report describing activities undertaken in the previous year under this subtitle, active industry participants, the status of public-private partnerships, progress of the program in meeting goals and timelines, and a strategic plan for funding of activities across agencies.

SEC. 1705. VEHICLE RESEARCH AND DEVELOPMENT.

(a) PROGRAM.—

(1) ACTIVITIES.—The Secretary shall conduct a program of basic and applied research, development, engineering, demonstration, and commercial application activities on materials, technologies, and processes with the potential to substantially reduce emissions of the passenger and commercial vehicles of the United States, including activities in the areas of—

(A) electrification of vehicle systems;

(B) batteries, ultracapacitors, and other energy storage devices;

(C) power electronics;

(D) vehicle, component, and subsystem manufacturing technologies and processes;

(E) engine efficiency and combustion optimization;

(F) waste heat recovery;

(G) transmission and drivetrains;

(H) hydrogen vehicle technologies, including fuel cells and internal combustion engines, and hydrogen infrastructure, including hydrogen energy storage to enable renewables and provide hydrogen for fuel and power;

(I) natural gas vehicle technologies;

(J) aerodynamics, rolling resistance (including tires and wheel assemblies), and accessory power loads of vehicles and associated equipment;

(K) vehicle weight reduction, including lightweighting materials and the development of manufacturing processes to fabricate, assemble, and use dissimilar materials;

(L) friction and wear reduction;

(M) engine and component durability;

(N) innovative propulsion systems;

(O) advanced boosting systems;

(P) hydraulic hybrid technologies;

(Q) engine compatibility with and optimization for a variety of transportation fuels including natural gas and other liquid and gaseous fuels;

(R) predictive engineering, modeling, and simulation of vehicle and transportation systems;

(S) refueling and charging infrastructure for alternative fueled and electric or plug-in electric hybrid vehicles, including the unique challenges facing rural areas;

(T) gaseous fuels storage systems and system integration and optimization;

(U) sensing, communications, and actuation technologies for vehicle, electrical grid, and infrastructure;

(V) efficient use, substitution, and recycling of potentially critical materials in vehicles, including rare earth elements and precious metals, at risk of supply disruption;

(W) aftertreatment technologies;

(X) thermal management of battery systems;

(Y) retrofitting advanced vehicle technologies to existing vehicles;

(Z) development of common standards, specifications, and architectures for both transportation and stationary battery applications;

(AA) advanced internal combustion engines;

(BB) mild hybrid;

(CC) engine down speeding;

(DD) vehicle-to-vehicle, vehicle-to-pedestrian, and vehicle-to-infrastructure technologies; and

(EE) other research areas as determined by the Secretary.

(2) TRANSFORMATIONAL TECHNOLOGY.—The Secretary shall ensure that the Department continues to support research, development, engineering, demonstration, and commercial application activities and maintains competency in mid- to long-term transformational vehicle technologies with potential to achieve reductions in emissions, including activities in the areas of—

(A) hydrogen vehicle technologies, including fuel cells, hydrogen storage, infrastructure, and activities in hydrogen technology validation and safety codes and standards;

(B) multiple battery chemistries and novel energy storage devices, including nonchemical batteries and electromechanical storage technologies such as hydraulics, flywheels, and compressed air storage;

(C) communication and connectivity among vehicles, infrastructure, and the electrical grid; and

(D) other innovative technologies research and development, as determined by the Secretary.

(3) INDUSTRY PARTICIPATION.—

(A) IN GENERAL.—To the maximum extent practicable, activities under this subtitle shall be carried out in partnership or collaboration with automotive manufacturers, heavy commercial, vocational, and transit vehicle manufacturers, qualified plug-in electric vehicle manufacturers, compressed natural gas vehicle manufacturers, vehicle and engine equipment and component manufacturers, manufacturing equipment manufacturers, advanced vehicle service providers, fuel producers and energy suppliers, electric utilities, universities, National Laboratories, and independent research laboratories.

(B) REQUIREMENTS.—In carrying out this subtitle, the Secretary shall—

(i) determine whether a wide range of companies that manufacture or assemble vehicles or components in the United States are represented in ongoing public-private partnership activities, including firms that have not traditionally participated in federally sponsored research and development activities, and where possible, partner with such firms that conduct significant and relevant research and development activities in the United States;

(ii) leverage the capabilities and resources of, and formalize partnerships with, industry-led stakeholder organizations, nonprofit organizations, industry consortia, and trade

associations with expertise in the research and development of, and education and outreach activities in, advanced automotive and commercial vehicle technologies;

(iii) develop more effective processes for transferring research findings and technologies to industry;

(iv) support public-private partnerships, dedicated to overcoming barriers in commercial application of transformational vehicle technologies, that use such industry-led technology development facilities of entities with demonstrated expertise in successfully designing and engineering pre-commercial generations of such transformational technology; and

(v) promote efforts to ensure that technology research, development, engineering, and commercial application activities funded under this subtitle are carried out in the United States.

(4) INTERAGENCY AND INTRAAGENCY COORDINATION.—To the maximum extent practicable, the Secretary shall coordinate research, development, demonstration, and commercial application activities among—

(A) relevant programs within the Department, including—

(i) the Office of Energy Efficiency and Renewable Energy;

(ii) the Office of Science;

(iii) the Office of Electricity Delivery and Energy Reliability;

(iv) the Office of Fossil Energy;

(v) the Advanced Research Projects Agency—Energy; and

(vi) other offices as determined by the Secretary; and

(B) relevant technology research and development programs within other Federal agencies, as determined by the Secretary.

(5) FEDERAL DEMONSTRATION OF TECHNOLOGIES.—The Secretary shall make information available to procurement programs of Federal agencies regarding the potential to demonstrate technologies resulting from activities funded through programs under this subtitle.

(6) INTERGOVERNMENTAL COORDINATION.—The Secretary shall seek opportunities to leverage resources and support initiatives of State and local governments in developing and promoting advanced vehicle technologies, manufacturing, and infrastructure.

(7) CRITERIA.—In awarding grants under the program under this subsection, the Secretary shall give priority to those technologies (either individually or as part of a system) that—

(A) provide the greatest aggregate fuel savings based on the reasonable projected sales volumes of the technology; and

(B) provide the greatest increase in United States employment.

(8) SECONDARY USE APPLICATIONS.—

(A) IN GENERAL.—The Secretary shall carry out a research, development, and demonstration program that—

(i) builds on any work carried out under section 915 of the Energy Policy Act of 2005 (42 U.S.C. 16195);

(ii) identifies possible uses of a vehicle battery after the useful life of the battery in a vehicle has been exhausted;

(iii) conducts long-term testing to verify performance and degradation predictions and lifetime valuations for secondary uses;

(iv) evaluates innovative approaches to recycling materials from plug-in electric drive vehicles and the batteries used in plug-in electric drive vehicles;

(v)(I) assesses the potential for markets for uses described in clause (ii) to develop; and

(II) identifies any barriers to the development of those markets; and

(vi) identifies the potential uses of a vehicle battery—

(I) with the most promise for market development; and

(II) for which market development would be aided by a demonstration project.

(B) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an initial report on the findings of the program described in subparagraph (A), including recommendations for stationary energy storage and other potential applications for batteries used in plug-in electric drive vehicles.

(C) SECONDARY USE DEMONSTRATION.—

(i) IN GENERAL.—Based on the results of the program described in subparagraph (A), the Secretary shall develop guidelines for projects that demonstrate the secondary uses and innovative recycling of vehicle batteries.

(ii) PUBLICATION OF GUIDELINES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(I) publish the guidelines described in clause (i); and

(II) solicit applications for funding for demonstration projects.

(iii) PILOT DEMONSTRATION PROGRAM.—Not later than 21 months after the date of enactment of this Act, the Secretary shall select proposals for grant funding under this subsection, based on an assessment of which proposals are mostly likely to contribute to the development of a secondary market for batteries.

(b) MANUFACTURING.—The Secretary shall carry out a research, development, engineering, demonstration, and commercial application program of advanced vehicle manufacturing technologies and practices, including innovative processes—

(1) to increase the production rate and decrease the cost of advanced battery and fuel cell manufacturing;

(2) to vary the capability of individual manufacturing facilities to accommodate different battery chemistries and configurations;

(3) to reduce waste streams, emissions, and energy intensity of vehicle, engine, advanced battery, and component manufacturing processes;

(4) to recycle and remanufacture used batteries and other vehicle components for reuse in vehicles or stationary applications;

(5) to develop manufacturing processes to effectively fabricate, assemble, and produce cost-effective lightweight materials such as advanced aluminum and other metal alloys, polymeric composites, and carbon fiber for use in vehicles;

(6) to produce lightweight high pressure storage systems for gaseous fuels;

(7) to design and manufacture purpose-built hydrogen fuel cell vehicles and components;

(8) to improve the calendar life and cycle life of advanced batteries; and

(9) to produce permanent magnets for advanced vehicles.

SA 1496. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

After section 2, insert the following:

SEC. 3. NONAPPLICABILITY OF DAVIS-BACON ACT.

(a) IN GENERAL.—Notwithstanding any other provision of law, the requirements of subchapter IV of chapter 31 of title 40, United States Code (commonly known as the ''Davis-Bacon Act''), shall not apply to any contract or subcontract supported, in whole or in part, by funds provided under this Act or under the amendments made by this Act.

(b) PREVENTING OTHER PREVAILING WAGE REQUIREMENTS.—This Act shall be applied without regard to subsection (g) of section 1004 and paragraph (4) of section 1204(b) of this Act, and such subsection and paragraph are deemed null, void, and of no effect.

SA 1497. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 14____. SALE OF COAL-FIRED ELECTRIC GENERATING FACILITIES BY THE TENNESSEE VALLEY AUTHORITY.

(a) IN GENERAL.—Before the Tennessee Valley Authority retires a coal-fired electric generating facility, the Tennessee Valley Authority shall—

(1) offer the facility for sale; and

(2) sell the facility to the highest bidder, subject to the condition that the purchaser shall agree to continue to operate the facility for electric generation for not less than 10 years beginning on the date of the sale.

(b) REVERTER.—On the violation by a purchaser of the condition described in subsection (a)(2), the applicable facility shall revert to the Tennessee Valley Authority.

SA 1498. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MODEL GUIDANCE FOR COMBINED HEAT AND POWER SYSTEMS AND WASTE HEAT TO POWER SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) ADDITIONAL SERVICES.—The term ''additional services'' means the provision of supplementary power, backup or standby power, maintenance power, or interruptible power to an electric consumer by an electric utility.

(2) WASTE HEAT TO POWER SYSTEM.—

(A) IN GENERAL.—The term ''waste heat to power system'' means a system that generates electricity through the recovery of waste energy.

(B) EXCLUSION.—The term ''waste heat to power system'' does not include a system that generates electricity through the recovery of a heat resource from a process the primary purpose of which is the generation of electricity using a fossil fuel.

(3) OTHER TERMS.—

(A) PURPA.—The terms ''electric consumer'', ''electric utility'', ''interconnection service'', and ''State regulatory authority'' have the meanings given those terms in the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), within the meaning of title I of that Act (16 U.S.C. 2611 et seq.).

(B) EPCA.—The terms ''combined heat and power system'' and ''waste energy'' have the meanings given those terms in section 371 of the Energy Policy and Conservation Act (42 U.S.C. 6341).

(b) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Federal Energy Regulatory Commission and other appropriate entities, shall review existing rules and procedures relating to interconnection service and additional services throughout the United States for electric generation with nameplate capacity up to 20 megawatts to identify barriers to the deployment of combined heat and power systems and waste heat to power systems.

(2) INCLUSION.—The review under this subsection shall include a review of existing rules and procedures relating to—

(A) determining and assigning costs of interconnection service and additional services; and

(B) ensuring adequate cost recovery by an electric utility for interconnection service and additional services.

(c) MODEL GUIDANCE.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with the Federal Energy Regulatory Commission and other appropriate entities, shall issue model guidance for interconnection service and additional services for use by State regulatory authorities to reduce the barriers identified under subsection (b)(1).

(2) CURRENT BEST PRACTICES.—The model guidance issued under this subsection shall reflect, to the maximum extent practicable, current best practices to encourage the deployment of combined heat and power systems and waste heat to power systems while ensuring the safety and reliability of the interconnected units and the distribution and transmission networks to which the units connect, including—

(A) relevant current standards developed by the Institute of Electrical and Electronic Engineers; and

(B) model codes and rules adopted by—

(i) States; or

(ii) associations of State regulatory agencies.

(3) FACTORS FOR CONSIDERATION.—In establishing the model guidance under this subsection, the Secretary shall take into consideration—

(A) the appropriateness of using standards or procedures for interconnection service that vary based on unit size, fuel type, or other relevant characteristics;

(B) the appropriateness of establishing fast-track procedures for interconnection service;

(C) the value of consistency with Federal interconnection rules established by the Federal Energy Regulatory Commission as of the date of enactment of this Act;

(D) the best practices used to model outage assumptions and contingencies to determine fees or rates for additional services;

(E) the appropriate duration, magnitude, or usage of demand charge ratchets;

(F) potential alternative arrangements with respect to the procurement of additional services, including—

(i) contracts tailored to individual electric consumers for additional services;

(ii) procurement of additional services by an electric utility from a competitive market; and

(iii) waivers of fees or rates for additional services for small electric consumers; and

(G) outcomes such as increased electric reliability, fuel diversification, enhanced power quality, and reduced electric losses that may result from increased use of combined heat and power systems and waste heat to power systems.

SA 1499. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ENHANCED ENERGY EFFICIENCY UNDERWRITING CRITERIA.

(a) DEFINITIONS.—In this section, the following definitions shall apply:

(1) ADMINISTRATION.—The term ''Administration'' means the Federal Housing Administration.

(2) COVERED LOAN.—The term ''covered loan'' means a loan secured by a home that is insured by the Administration under title II of the National Housing Act (12 U.S.C. 1707 et seq.).

(3) HOMEOWNER.—The term ''homeowner'' means the mortgagor under a covered loan.

(4) MORTGAGEE.—The term ''mortgagee'' means an original lender under a covered loan or the holder of a covered loan at the time at which that mortgage transaction is consummated.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ENHANCED ENERGY EFFICIENCY UNDERWRITING CRITERIA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the advisory group established under subsection (e)(3), develop and issue guidelines for the Administration to implement enhanced loan eligibility requirements, for use when testing the ability of a loan applicant to repay a covered loan, that account for the expected energy cost savings for a loan applicant at a subject property, in the manner set forth in paragraphs (2) and (3).

(2) REQUIREMENTS TO ACCOUNT FOR ENERGY COST SAVINGS.—

(A) IN GENERAL.—The enhanced loan eligibility requirements under paragraph (1) shall require that, for all covered loans for which an energy efficiency report is voluntarily provided to the mortgagee by the homeowner, the Administration and the mortgagee shall take into consideration the estimated energy cost savings expected for the owner of the subject property in determining whether the loan applicant has sufficient income to service the mortgage debt plus other regular expenses.

(B) USE AS OFFSET.—To the extent that the Administration uses a test such as a debt-to-income test that includes certain regular expenses, such as hazard insurance and property taxes—

(i) the expected energy cost savings shall be included as an offset to these expenses; and

(ii) the Administration may not use the offset described in clause (i) to qualify a loan applicant for insurance under title II of the National Housing Act (12 U.S.C. 1707 et seq.) with respect to a loan that would not otherwise meet the requirements for such insurance.

(C) TYPES OF ENERGY COSTS.—Energy costs to be assessed under this paragraph shall include the cost of electricity, natural gas, oil, and any other fuel regularly used to supply energy to the subject property.

(3) DETERMINATION OF ESTIMATED ENERGY COST SAVINGS.—

(A) IN GENERAL.—The guidelines to be issued under paragraph (1) shall include instructions for the Administration to calculate estimated energy cost savings using—

(i) the energy efficiency report;

(ii) an estimate of baseline average energy costs; and

(iii) additional sources of information as determined by the Secretary.

(B) REPORT REQUIREMENTS.—For the purposes of subparagraph (A), an energy efficiency report shall—

(i) estimate the expected energy cost savings specific to the subject property, based on specific information about the property;

(ii) be prepared in accordance with the guidelines to be issued under paragraph (1); and

(iii) be prepared—

(I) in accordance with the Residential Energy Service Network's Home Energy Rating System (commonly known as ''HERS'') by an individual certified by the Residential Energy Service Network, unless the Secretary finds that the use of HERS does not further the purposes of this section;

(II) in accordance with the Alaska Housing Finance Corporation energy rating system by an individual certified by the Alaska Housing Finance Corporation as an authorized Energy Rater; or

(III) by other methods approved by the Secretary, in consultation with the Secretary of Energy and the advisory group established under subsection (e)(3), for use under this section, which shall include a third-party quality assurance procedure.

(4) USE BY APPRAISER.—If an energy efficiency report is used under paragraph (2), the energy efficiency report shall be provided to the appraiser to estimate the energy efficiency of the subject property and for potential adjustments for energy efficiency.

(5) PRICING OF LOANS.—

(A) IN GENERAL.—The Administration may price covered loans originated under the enhanced loan eligibility requirements required under this subsection in accordance with the estimated risk of the loans.

(B) IMPOSITION OF CERTAIN MATERIAL COSTS, IMPEDIMENTS, OR PENALTIES.—In the absence of a publicly disclosed analysis that demonstrates significant additional default risk or prepayment risk associated with the loans, the Administration shall not impose material costs, impediments, or penalties on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this subsection.

(6) LIMITATIONS.—

(A) IN GENERAL.—The Administration may price covered loans originated under the enhanced loan eligibility requirements required under this subsection in accordance with the estimated risk of those loans.

(B) PROHIBITED ACTIONS.—The Administration shall not—

(i) modify existing underwriting criteria or adopt new underwriting criteria that intentionally negate or reduce the impact of the requirements or resulting benefits that are set forth or otherwise derived from the enhanced loan eligibility requirements required under this subsection; or

(ii) impose greater buy back requirements, credit overlays, or insurance requirements, including private mortgage insurance, on covered loans merely because the loan uses an energy efficiency report or the enhanced loan eligibility requirements required under this subsection.

(7) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 3 years after the date of enactment of this Act, and before December 31, 2023, the enhanced loan eligibility requirements required under this subsection shall be implemented by the Administration to—

(A) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home;

(B) be available on any residential real property (including individual units of condominiums and cooperatives) that qualifies for a covered loan; and

(C) provide prospective mortgagees with sufficient guidance and applicable tools to implement the required underwriting methods.

(c) ENHANCED ENERGY EFFICIENCY UNDERWRITING VALUATION GUIDELINES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) in consultation with the Federal Financial Institutions Examination Council and the advisory group established under subsection (e)(3), develop and issue guidelines for the Administration to determine the maximum permitted loan amount based on the value of the property for all covered loans made on properties with an energy efficiency report that meets the requirements of subsection (b)(3)(B); and

(B) in consultation with the Secretary of Energy, issue guidelines for the Administration to determine the estimated energy savings under subsection (b) for properties with an energy efficiency report.

(2) REQUIREMENTS.—The enhanced energy efficiency underwriting valuation guidelines required under paragraph (1) shall include—

(A) a requirement that if an energy efficiency report that meets the requirements of subsection (b)(3)(B) is voluntarily provided to the mortgagee, such report shall be used by the mortgagee or the Administration to determine the estimated energy savings of the subject property; and

(B) a requirement that the estimated energy savings of the subject property be added to the appraised value of the subject property by a mortgagee or the Administration for the purpose of determining the loan-to-value ratio of the subject property, unless the appraisal includes the value of the overall energy efficiency of the subject property, using methods to be established under the guidelines issued under paragraph (1).

(3) DETERMINATION OF ESTIMATED ENERGY SAVINGS.—

(A) AMOUNT OF ENERGY SAVINGS.—The amount of estimated energy savings shall be determined by calculating the difference between the estimated energy costs for the average comparable houses, as determined in guidelines to be issued under paragraph (1), and the estimated energy costs for the subject property based upon the energy efficiency report.

(B) DURATION OF ENERGY SAVINGS.—The duration of the estimated energy savings shall be based upon the estimated life of the applicable equipment, consistent with the rating system used to produce the energy efficiency report.

(C) PRESENT VALUE OF ENERGY SAVINGS.—The present value of the future savings shall be discounted using the average interest rate on conventional 30-year mortgages, in the manner directed by guidelines issued under paragraph (1).

(4) ENSURING CONSIDERATION OF ENERGY EFFICIENT FEATURES.—Section 1110 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3339) is amended—

(A) in paragraph (2), by striking ''; and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (3) the following:

''(4) that State certified and licensed appraisers have timely access, whenever practicable, to information from the property owner and the lender that may be relevant in developing an opinion of value regarding the energy-saving improvements or features of a property, such as—

''(A) labels or ratings of buildings;

''(B) installed appliances, measures, systems or technologies;

''(C) blueprints;

''(D) construction costs;

''(E) financial or other incentives regarding energy-efficient components and systems installed in a property;

''(F) utility bills;

''(G) energy consumption and benchmarking data; and

''(H) third-party verifications or representations of energy and water efficiency performance of a property, observing all financial privacy requirements adhered to by certified and licensed appraisers, including section 501 of the Gramm-Leach-Bliley Act (15 U.S.C. 6801).

Unless a property owner consents to a lender, an appraiser, in carrying out the requirements of paragraph (4), shall not have access to the commercial or financial information of the owner that is privileged or confidential.''.

(5) TRANSACTIONS REQUIRING STATE CERTIFIED APPRAISERS.—Section 1113 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3342) is amended—

(A) in paragraph (1), by inserting before the semicolon the following: '', or any real property on which the appraiser makes adjustments using an energy efficiency report''; and

(B) in paragraph (2), by inserting after before the period at the end the following: '', or an appraisal on which the appraiser makes adjustments using an energy efficiency report''.

(6) PROTECTIONS.—

(A) AUTHORITY TO IMPOSE LIMITATIONS.—The guidelines to be issued under paragraph (1) shall include such limitations and conditions as determined by the Secretary to be necessary to protect against meaningful under or over valuation of energy cost savings or duplicative counting of energy efficiency features or energy cost savings in the valuation of any subject property that is used to determine a loan amount.

(B) ADDITIONAL AUTHORITY.—At the end of the 7-year period following the implementation of enhanced eligibility and underwriting valuation requirements under this subsection, the Secretary may modify or apply additional exceptions to the approach described in paragraph (2), where the Secretary finds that the unadjusted appraisal will reflect an accurate market value of the efficiency of the subject property or that a modified approach will better reflect an accurate market value.

(7) APPLICABILITY AND IMPLEMENTATION DATE.—Not later than 3 years after the date of enactment of this Act, and before December 31, 2023, the Administration shall implement the guidelines required under this subsection, which shall—

(A) apply to any covered loan for the sale, or refinancing of any loan for the sale, of any home; and

(B) be available on any residential real property, including individual units of condominiums and cooperatives, that qualifies for a covered loan.

(d) MONITORING.—Not later than 1 year after the date on which the enhanced eligibility and underwriting valuation requirements are implemented under this subsection, and every year thereafter, the Administration shall issue and make available to the public a report that—

(1) enumerates the number of covered loans of the Administration for which there was an energy efficiency report, and that used energy efficiency appraisal guidelines and enhanced loan eligibility requirements;

(2) includes the default rates and rates of foreclosures for each category of loans; and

(3) describes the risk premium, if any, that the Administration has priced into covered loans for which there was an energy efficiency report.

(e) RULEMAKING.—

(1) IN GENERAL.—The Secretary shall prescribe regulations to carry out this section, in consultation with the Secretary of Energy and the advisory group established in paragraph (3), which may contain such classifications, differentiations, or other provisions, and may provide for such proper implementation and appropriate treatment of different types of transactions, as the Secretary determines are necessary or proper to effectuate the purposes of this section, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the Secretary to require any homeowner or other party to provide energy efficiency reports, energy efficiency labels, or other disclosures to the Administration or to a mortgagee.

(3) ADVISORY GROUP.—To assist in carrying out this section, the Secretary shall establish an advisory group, consisting of individuals representing the interests of—

(A) mortgage lenders;

(B) appraisers;

(C) energy raters and residential energy consumption experts;

(D) energy efficiency organizations;

(E) real estate agents;

(F) home builders and remodelers;

(G) consumer advocates;

(H) State energy officials; and

(I) others as determined by the Secretary.

(f) ADDITIONAL STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall reconvene the advisory group established under subsection (e)(3), in addition to water and locational efficiency experts, to advise the Secretary on the implementation of the enhanced energy efficiency underwriting criteria established under subsections (b) and (c).

(2) RECOMMENDATIONS.—The advisory group established in subsection (e)(3) shall provide recommendations to the Secretary on any revisions or additions to the enhanced energy efficiency underwriting criteria deemed necessary by the group, which may include alternate methods to better account for home energy costs and additional factors to account for substantial and regular costs of homeownership such as location-based transportation costs and water costs. The Secretary shall forward any legislative recommendations from the advisory group to Congress for its consideration.

SA 1500. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SMALL BUSINESS ENERGY EFFICIENCY.

(a) FINDINGS.—Congress finds the following:

(1) According to the Small Business Administration, small businesses account for 99.7 percent of United States employer firms and employ approximately half of all private-sector employees in the United States.

(2) A 2012 report from the National Federation of Independent Businesses found that energy costs are—

(A) the third most serious problem for small business owners; and

(B) one of the top 3 business expenses in 35 percent of small businesses;

(3) Investments in energy efficiency enhance energy savings and improve the competitiveness, profitability, production, product quality, and environmental sustainability of United States businesses and manufacturers;

(4) According to the Department of Energy, small buildings—

(A) are predominantly occupied by small business entities;

(B) consume 44 percent of the overall energy use in buildings in the United States; and

(C) present an estimated potential energy savings equal to 1,070,000,000,000,000 Btu of energy savings or $30,000,000,000 in cost savings per year.

(5) Market barriers exist to the widespread adoption of energy efficiency technologies and practices among small businesses, including a lack of—

(A) expertise about energy and the opportunities to reduce costs through energy efficiency measures;

(B) internal capacity to develop and implement energy efficiency projects; and

(C) capital or access to incentives and affordable financing for energy retrofits.

(6) Addressing the barriers described in paragraph (5) is in the interest of the United States.

(7) The United States would benefit from a concerted and focused effort to advance the adoption of energy efficiency technologies and practices among small businesses, which will facilitate greater economic growth in this sector.

(b) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof;

(2) the term ''covered lender'' means—

(A) a development company (as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662)) that is eligible to participate in the program established under title V of such Act (15 U.S.C. 695 et seq.); and

(B) a lender under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(3) the term ''energy efficiency'' means a decrease in consumption of energy (including electricity and thermal energy) that produces significant energy savings and is achieved without reducing the quality of energy services through—

(A) a measure or program that targets customer behavior;

(B) appliances, equipment, or energy systems;

(C) fixtures; or

(D) other devices;

(4) the term ''energy efficiency improvement'' means any project or activity the primary purpose of which is increasing energy efficiency;

(5) the term ''energy savings'' means a reduction in net energy costs (including electricity and thermal energy), fuel costs, water costs, other utility costs, or related net operating costs from or as compared to an established baseline of those costs;

(6) the term ''on-bill financing'' means a financial product that is serviced by, or in partnership with, a utility company for energy efficiency improvements in a building, and repaid by the building owner or tenant on his or her monthly utility bill; and

(7) the term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(c) CERTIFIED DEVELOPMENT COMPANY AND LOAN UNDERWRITING REFORM.—

(1) INCREASED LOAN AMOUNTS UNDER THE 504/CDC PROGRAM.—Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)) is amended by adding at the end the following:

''(C) LOANS FOR ENERGY EFFICIENCY SAVINGS.—

''(i) IN GENERAL.—The Administration may make loans under this section to a borrower in an amount greater than the maximum amount under subparagraph (A)(i) if the loan proceeds are directed toward a project that results in energy savings for a small business concern as a result of the installation or implementation of energy efficiency improvements.

''(ii) AMOUNT.—The Administration may increase the maximum amount under subparagraph (A)(i) for a small business concern by not more than the amount equal to the anticipated increased income or resources due to energy savings from the project.''.

(2) GUIDANCE FOR LOAN UNDERWRITING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall issue guidance requiring covered lenders to incorporate energy efficiency considerations and life-cycle cost savings into the underwriting process for loans provided under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.) and section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

(3) EXISTING FEDERAL PROGRAMS.—Nothing in this subsection or the amendments made by this subsection shall be construed to restrict or otherwise affect efforts of the Federal Government in existence on the day before the date of enactment of this Act that would expand financing opportunities for small business concerns.

(d) WORKING GROUP AND UTILITY-LENDER FINANCING INCENTIVE PILOT PROGRAM.—

(1) FINDINGS.—Congress finds the following:

(A) Small businesses account for more than 90 percent of utility commercial customers and nearly half of all commercial electricity usage.

(B) According to the National Small Business Association, small businesses, particularly those with fewer than 35 employees in the manufacturing sector, pay 35 percent more per unit for their electricity than comparable larger firms.

(C) Utility-administered energy efficiency programs, including on-bill financing—

(i) reduce or eliminate the first costs for energy efficiency improvements;

(ii) leverage existing billing relationships between consumers and utilities;

(iii) can be tied to a property so that energy savings are transferred to multiple owners or tenants;

(iv) incur low default rates ranging from 0 to 3 percent; and

(v) have been implemented in 23 States.

(D) Utilities have encountered challenges to the widespread adoption of on-bill financing programs among small businesses, including—

(i) modification of utility billing systems in order to provide on-bill financing options to customers;

(ii) desire among utilities to act as a financial institution;

(iii) insufficient human resources to navigate or comply with Federal and State regulatory reporting requirements involved with the implementation of on-bill financing programs; and

(iv) risk of non-payment and challenges associated with non-payment penalties for customers.

(E) Because of the challenges for utilities described in subparagraph (D), participation rates for on-bill financing programs among small businesses are generally low.

(F) Federal agency action can encourage on-bill financing programs and maximize their impact on the small business sector.

(2) REQUIREMENT.—The Administrator shall carry out efforts to advance the availability and utilization of utility-based financing programs for energy efficiency improvements among small business entities.

(3) CREATION OF A STAKEHOLDER WORKING GROUP.—

(A) IN GENERAL.—In carrying out the efforts under paragraph (2), and not later than 180 days after the date of enactment of this Act, the Administrator shall convene a working group (in this paragraph referred to as the ''Group'') to address barriers that limit energy efficiency improvements among small business concerns.

(B) PURPOSE.—The purpose of the Group is to provide guidance on how to—

(i) address the market barriers for small business concerns described in subsection (a)(5) and the challenges to utilities listed in paragraph (1)(D) that limit widespread adoption of on-bill financing programs;

(ii) develop Federal incentives or other mechanisms that encourage utility-based financing programs that target small business concerns; and

(iii) encourage coordination between lenders and utilities regarding existing incentive programs for small business concerns and potential sources of energy efficiency financing.

(C) MEMBERSHIP.—

(i) IN GENERAL.—The Group shall be composed of representatives of all groups determined by the Administrator to have a material interest in the development and implementation of on-bill financing programs that target small business concerns.

(ii) CRITERIA.—The Administrator shall select members of the Group—

(I) from among representatives that apply as a result of a public announcement from the Administrator; and

(II) based on qualifications and balance of interests represented by the selected individuals.

(D) DUTIES.—The Group shall provide recommendations to the Administrator for actions that should be taken to carry out the efforts under paragraph (2).

(E) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall prepare and submit to Congress a publicly available report based on the recommendations of the Group under subparagraph (D).

(F) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection, but not more than $2,000,000 in any 1 fiscal year.

(4) PILOT PROGRAM.—

(A) IN GENERAL.—Based on the findings in the report submitted under paragraph (3)(E) and not later than 3 years after the date of enactment of this Act, the Administrator shall establish a pilot program to encourage the availability and utilization of on-bill financing for small business concerns.

(B) ELIGIBLE ENTITIES.—Any individual entity or group of entities may submit to the Administrator proposals for demonstration projects to be carried out under the pilot program established under subparagraph (A), including—

(i) State and local agencies;

(ii) electric and gas utilities;

(iii) electric cooperatives;

(iv) municipal utilities; or

(v) covered lenders.

(C) APPLICATION.—

(i) IN GENERAL.—An eligible entity described in subparagraph (B) that desires to participate in the pilot program established under subparagraph (A) shall submit to the

Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(ii) CRITERIA.—The Administrator shall evaluate an application submitted under clause (i) on the basis of merit using criteria identified by the Administrator, including—

(I) demonstrated support from lenders that offer financing to small business concerns in the State or region;

(II) demonstrated support from utilities, electric cooperatives, or municipal utilities in the State or region; and

(III) availability of existing financing programs for small business concerns and utility incentive programs in the State or region.

(D) BEST PRACTICES.—In carrying out the pilot program established under subparagraph (A), the Administrator shall establish best practices for the establishment and maintenance of relationships between lenders and utility companies to expand access to financing for energy efficiency measures.

(E) REPORT.—Not later than 1 year after the date on which the pilot program is established under subparagraph (A), and each year thereafter for 4 years, the Administrator shall submit to Congress a report on the efficacy of the pilot program in establishing connections between utility companies that offer energy efficiency incentives to small business concerns and lenders that offer financing to small business concerns.

(F) TERMINATION.—The pilot program established under subparagraph (A) shall terminate on the date that is 5 years after the date on which the Administrator establishes the pilot program.

(G) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection, but not more than $5,000,000 in any 1 fiscal year.

(5) COORDINATION WITH STATE PROGRAMS.—In establishing and implementing this subsection, the Administrator shall, to the maximum extent practicable, preserve the integrity and incorporate best practices of State on-bill financing programs in existence on the day before the date of enactment of this Act.

(e) MENTORING AND BEST PRACTICE PROGRAMS.—

(1) ENERGY MANAGEMENT MENTORING PROGRAM.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended by striking subsection (c) and inserting the following:

''(c) ENERGY EFFICIENCY MANAGEMENT AND FINANCING IN SCORE PROGRAM.—

''(1) DEFINITION.—In this subsection, the term 'SCORE program' means the Service Corps of Retired Executives authorized under subsection (b)(1)(B).

''(2) VOLUNTEERS.—Under the SCORE program, the Administrator shall recruit volunteers with expertise in energy management, to be known as 'energy coaches', who shall work on-site directly with small business concerns to provide assistance relating to energy efficiency and energy management for a specified period of time.

''(3) CLEARINGHOUSES OF ENERGY EFFICIENCY INCENTIVES AND FINANCING RESOURCES.—The Administrator shall—

''(A) compile clearinghouses of grant, rebate, and financing programs, with an emphasis on programs that use utility on-bill financing and recovery and other energy efficiency incentives, offered by States, quasi-State entities, local governments, and utility companies; and

''(B) train energy coaches described in paragraph (2) to match small business concerns with the programs described in subparagraph (A) and provide advice in applying for assistance from those programs.''.

(2) SMALL BUSINESS ENERGY BEST PRACTICES PROGRAM.—The Administrator shall require each regional office of the Administration to—

(A) compile comprehensive clearinghouses of energy efficiency resources for small business concerns; and

(B) disseminate those clearinghouses, in the applicable geographic region, to—

(i) mentors and coaches of the Service Corps of Retired Executives authorized under section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));

(ii) small business concerns; and

(iii) covered lenders.

(3) LOAN PERFORMANCE DATA TO ENCOURAGE ENERGY EFFICIENCY OPPORTUNITIES.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report on establishing a framework for standardizing and aggregating for securitization and data collection loan performance information that may be used by lenders to increase or expand energy efficiency financing opportunities from small business concerns.

(f) ENERGY EFFICIENCY AWARDS.—

(1) ENERGY EFFICIENCY LEADERSHIP AWARD.—The Administrator shall establish an award entitled the ''Small Business Award for Energy Efficiency Leadership'', which shall be awarded annually to a small business concern that makes extraordinary efforts or significant investments in energy efficiency.

(2) CROSS-ENDORSEMENT OF ENERGY EFFICIENCY AWARDS.—The Administrator, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall establish a small business-focused version of existing recognition programs at the Department of Energy and the Environmental Protection Agency, to identify, acknowledge, and better encourage energy efficiency among small business concerns.

SA 1501. Mr. YOUNG (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 14_____. WASTE GAS UTILIZATION.

(a) IN GENERAL.—Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) (as amended by section 1405(a)) is amended by adding at the end the following:

''SEC. 969B. WASTE GAS UTILIZATION.

''(a) IN GENERAL.—The Secretary shall carry out a program of research, development, and demonstration for waste gas utilization.

''(b) COMPONENTS.—In carrying out the program under subsection (a), the Secretary shall—

''(1) identify and evaluate new uses for light hydrocarbons, such as methane, ethane, propane, butane, pentane, and hexane, produced during oil and shale gas production, including the production of chemicals or transportation fuels;

''(2) develop advanced gas conversion technologies that—

''(A) are modular and compact; and

''(B) may leverage advanced manufacturing technologies;

''(3) support demonstration activities at operating oil and gas facilities to test the performance and cost-effectiveness of new gas conversion technologies; and

''(4) assess and monitor potential changes in lifecycle greenhouse gas emissions that may result from the use of technologies developed under the program.''.

(b) TECHNICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 600) (as amended by section 1405(b)) is amended by adding at the end of the items relating to subtitle F of title IX the following:

''Sec. 969B. Waste gas utilization.''.

SA 1502. Mr. BRAUN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 274, strike line 23 and all that follows through page 275, line 8, and insert the following:

''(2) HYDROGEN CONVERSION PROGRAM.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish a demonstration program for the purpose of partnering with private institutions to accelerate the commercial deployment of technology to convert solids with high carbon content, including coal or petroleum coke, to hydrogen and hydrogen products.

''(3) COST SHARING.—Activities under paragraphs (1) and (2) shall be subject to the cost-sharing requirements of section 988.

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this section (other than subsection (b)(2))—

''(A) $29,000,000 for fiscal year 2021;

''(B) $30,250,000 for fiscal year 2022;

''(C) $31,562,500 for fiscal year 2023;

''(D) $32,940,625 for fiscal year 2024; and

''(E) $34,387,656 for fiscal year 2025.

''(2) HYDROGEN CONVERSION PROGRAM.—There are authorized to be appropriated to the Secretary to carry out subsection (b)(2)—

''(A) $105,400,000 for fiscal year 2021;

''(B) $50,650,000 for fiscal year 2022; and

''(C) $55,125,000 for fiscal year 2023.''.

SA 1503. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—MISCELLANEOUS

SEC. 4001. BUREAU OF LAND MANAGEMENT LAND ACQUISITION DATA.

The Secretary of the Interior (acting through the Director of the Bureau of Land Management) shall—

(1) collect centralized data on land acquired for administration by the Bureau of Land Management using amounts from the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, including data on—

(A) the method used for the acquisition; and

(B) the type of interest acquired;

(2) not later than 1 year after the date of enactment of this Act, and annually thereafter, submit to Congress a report describing the information collected under paragraph (1); and

(3) develop guidance to ensure that land acquisition data collected under paragraph (1) is entered correctly and properly coded in

the data system of the Bureau of Land Management.

SA 1504. Mr. KENNEDY (for himself, Mr. CARPER, Mr. CASSIDY, Mr. COONS, Ms. COLLINS, Mr. WHITEHOUSE, Mr. YOUNG, Mrs. FEINSTEIN, Mr. MORAN, Mr. SCHATZ, Mr. GRAHAM, Mr. BOOKER, Ms. ERNST, Mr. MERKLEY, Mr. COTTON, Mr. VAN HOLLEN, Mr. GRASSLEY, Mr. MARKEY, Mr. BOOZMAN, Mr. JONES, Mr. BLUNT, Mr. BLUMENTHAL, Mr. PERDUE, Mr. HEINRICH, Mrs. HYDE-SMITH, Mr. CARDIN, Mr. BURR, Mr. MURPHY, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AMERICAN INNOVATION AND MANUFACTURING.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) industries in the United States that use and produce fluorocarbons—

(i) contribute more than $158,000,000,000 annually in goods and services to the economy of the United States; and

(ii) provide employment to more than 700,000 individuals, with an industry-wide payroll of more than $32,000,000,000;

(B) the support and promotion of the technological leadership of the United States in fluorocarbon production and related products, equipment, and other uses provided by this section is expected—

(i) to create approximately 33,000 new manufacturing jobs in the United States; and

(ii) to add approximately $12,500,000,000 per year to the economy of the United States;

(C) supporting and promoting the technological leadership of the United States in fluorocarbon production and related products, equipment, and other uses also creates a significant new export advantage for manufacturers of fluorinated compounds and related products and equipment in the United States;

(D) the new markets for fluorinated products and equipment created by this section are expected to increase the share of the United States of the global fluorocarbon product and equipment market by 25 percent (to 9 percent from 7.2 percent); and

(E) this section incentivizes the investment of approximately $5,000,000,000 in the United States through fiscal year 2025 to exploit the new markets for fluorinated products and equipment created by this section.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should provide for a safe hydrofluorocarbon transition by ensuring that heating, ventilation, air conditioning, and refrigeration practitioners are positioned to comply with safe servicing, repair, disposal, or installation procedures.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) ALLOWANCE.—The term ''allowance'' means a limited authorization for the production or consumption of a regulated substance established under subsection (e).

(3) CONSUMPTION.—The term ''consumption'', with respect to a regulated substance, means a quantity equal to the difference between—

(A) a quantity equal to the sum of—

(i) the quantity of that regulated substance produced in the United States; and

(ii) the quantity of the regulated substance imported into the United States; and

(B) the quantity of the regulated substance exported from the United States.

(4) CONSUMPTION BASELINE.—The term ''consumption baseline'' means the baseline established for the consumption of regulated substances under subsection (e)(1)(C).

(5) EXCHANGE VALUE.—The term ''exchange value'' means the value assigned to a regulated substance in accordance with subsections (c) and (e), as applicable.

(6) IMPORT.—The term ''import'' means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, regardless of whether that landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

(7) PRODUCE.—

(A) IN GENERAL.—The term ''produce'' means the manufacture of a regulated substance from a raw material or feedstock chemical (but not including the destruction of a regulated substance by a technology approved by the Administrator).

(B) EXCLUSIONS.—The term ''produce'' does not include—

(i) the manufacture of a regulated substance that is used and entirely consumed (except for trace quantities) in the manufacture of another chemical; or

(ii) the reuse or recycling of a regulated substance.

(8) PRODUCTION BASELINE.—The term ''production baseline'' means the baseline established for the production of regulated substances under subsection (e)(1)(B).

(9) RECLAIM.—The term ''reclaim'' means—

(A) the reprocessing of a recovered regulated substance to at least the purity described in standard 700–2016 of the Air-Conditioning, Heating, and Refrigeration Institute (or an appropriate successor standard adopted by the Administrator); and

(B) the verification of the purity of that regulated substance using, at a minimum, the analytical methodology described in the standard referred to in subparagraph (A).

(10) RECOVER.—The term ''recover'' means the process by which a regulated substance is—

(A) removed, in any condition, from equipment; and

(B) stored in an external container, with or without testing or processing the regulated substance.

(11) REGULATED SUBSTANCE.—The term ''regulated substance'' means—

(A) a substance listed in the table contained in subsection (c)(1); and

(B) a substance included as a regulated substance by the Administrator under subsection (c)(3).

(c) LISTING OF REGULATED SUBSTANCES.—

(1) LIST OF REGULATED SUBSTANCES.—Each of the following substances, and any isomers of such a substance, shall be a regulated substance:

Chemical Name	Common Name	Exchange Value
CHF_2CHF_2	HFC–134	1100
CH_2FCF_3	HFC–134a	1430
CH_2FCHF_2	HFC–143	353
$CHF_2CH_2CF_3$	HFC–245fa	1030
$CF_3CH_2CF_2CH_3$	HFC–365mfc	794
CF_3CHFCF_3	HFC–227ea	3220
$CH_2FCF_2CF_3$	HFC–236cb	1340
CHF_2CHFCF_3	HFC–236ea	1370
$CF_3CH_2CF_3$	HFC–236fa	9810
$CH_2FCF_2CHF_2$	HFC–245ca	693
$CF_3CHFCHFCF_2CF_3$	HFC–43–10mee	1640
CH_2F_2	HFC–32	675
CHF_2CF_3	HFC–125	3500
CH_3CF_3	HFC–143a	4470
CH_3F	HFC–41	92

Chemical Name	Common Name	Exchange Value
CH_2FCH_2F	HFC–152	53
CH_3CHF_2	HFC–152a	124
CHF_3	HFC–23	14800.

(2) REVIEW.—The Administrator may—

(A) review the exchange values listed in the table contained in paragraph (1) on a periodic basis; and

(B) subject to notice and opportunity for public comment, adjust the exchange values solely on the basis of—

(i) publicly available, peer-reviewed scientific data; and

(ii) other information consistent with widely used or commonly accepted existing exchange values.

(3) OTHER REGULATED SUBSTANCES.—

(A) IN GENERAL.—Subject to notice and opportunity for public comment, the Administrator may designate a substance not included in the table contained in paragraph (1) as a regulated substance if—

(i) the substance—

(I) is a chemical substance that is a saturated hydrofluorocarbon; and

(II) has an exchange value, as determined by the Administrator in accordance with the basis described in paragraph (2)(B), of greater than 53; and

(ii) the designation of the substance as a regulated substance would be consistent with the purposes of this section.

(B) SAVINGS PROVISION.—Nothing in this paragraph authorizes the Administrator to designate as a regulated substance a blend of substances that includes a saturated hydrofluorocarbon for purposes of phasing down production or consumption of regulated substances under subsection (e), even if the saturated hydrofluorocarbon is, or may be, designated as a regulated substance.

(d) MONITORING AND REPORTING REQUIREMENTS.—

(1) PRODUCTION, IMPORT, AND EXPORT LEVEL REPORTS.—

(A) IN GENERAL.—On a periodic basis, to be determined by the Administrator, but not less frequently than annually, each person who, within the applicable reporting period, produces, imports, exports, destroys, transforms, uses as a process agent, or reclaims a regulated substance shall submit to the Administrator a report that describes, as applicable, the quantity of the regulated substance that the person—

(i) produced, imported, and exported;

(ii) reclaimed;

(iii) destroyed by a technology approved by the Administrator;

(iv) used and entirely consumed (except for trace quantities) in the manufacture of another chemical; or

(v) used as a process agent.

(B) REQUIREMENTS.—

(i) SIGNED AND ATTESTED.—The report under subparagraph (A) shall be signed and attested by a responsible officer (within the meaning of the Clean Air Act (42 U.S.C. 7401 et seq.)).

(ii) NO FURTHER REPORTS REQUIRED.—A report under subparagraph (A) shall not be required from a person if the person—

(I) permanently ceases production, importation, exportation, destruction, transformation, use as a process agent, or reclamation of all regulated substances; and

(II) notifies the Administrator in writing that the requirement under subclause (I) has been met.

(iii) BASELINE PERIOD.—Each report under subparagraph (A) shall include, as applicable, the information described in that subparagraph for the baseline period of calendar years 2011 through 2013.

(2) COORDINATION.—The Administrator may allow any person subject to the requirements of paragraph (1)(A) to combine and include the information required to be reported under that paragraph with any other related information that the person is required to report to the Administrator.

(e) PHASE-DOWN OF PRODUCTION AND CONSUMPTION OF REGULATED SUBSTANCES.—

(1) BASELINES.—

(A) IN GENERAL.—Subject to subparagraph (D), the Administrator shall establish for the phase-down of regulated substances—

(i) a production baseline for the production of all regulated substances in the United States, as described in subpagraph (B)); and

(ii) a consumption baseline for the consumption of all regulated substances in the United States, as described in subparagraph (C).

(B) PRODUCTION BASELINE DESCRIBED.—The production baseline referred to in subparagraph (A)(i) is the quantity equal to the sum of—

(i) the average annual quantity of all regulated substances produced in the United States during the period—

(I) beginning on January 1, 2011; and

(II) ending on December 31, 2013; and

(ii) the quantity equal to the sum of—

(I) 15 percent of the production level of hydrochlorofluorocarbons in calendar year 1989; and

(II) 0.42 percent of the production level of chlorofluorocarbons in calendar year 1989.

(C) CONSUMPTION BASELINE DESCRIBED.—The consumption baseline referred to in subparagraph (A)(ii) is the quantity equal to the sum of—

(i) the average annual quantity of all regulated substances consumed in the United States during the period—

(I) beginning on January 1, 2011; and

(II) ending on December 31, 2013; and

(ii) the quantity equal to the sum of—

(I) 15 percent of the consumption level of hydrochlorofluorocarbons in calendar year 1989; and

(II) 0.42 percent of the consumption level of chlorofluorocarbons in calendar year 1989.

(D) EXCHANGE VALUES.—

(i) IN GENERAL.—For purposes of subparagraphs (B) and (C), the Administrator shall use the following exchange values for hydrochlorofluorocarbons and chlorofluorocarbons:

Table 2

Chemical Name	Common Name	Exchange Value
$CHFC1_2$	HCFC–21	151
CHF_2C1	HCFC–22	1810
$C_2HF_3C1_2$	HCFC–123	77
C_2HF_4C1	HCFC–124	609
CH_3CFC1_2	HCFC–141b	725
CH_3CF_2C1	HCFC–142b	2310
$CF_3CF_2CHC1_2$	HCFC–225ca	122
CF_2C1CF_2CHC1F	HCFC–225cb	595

Table 3

Chemical Name	Common Name	Exchange Value
$CFC1_3$	CFC–11	4750
CF_2C1_2	CFC–12	10900

Table 3		
Chemical Name	Common Name	Exchange Value
$C_2F_3Cl_3$	CFC–113	6130
$C_2F_4Cl_2$	CFC–114	10000
C_2F_5Cl	CFC–115	7370

(ii) REVIEW.—The Administrator may—

(I) review the exchange values listed in the tables contained in paragraph (1) on a periodic basis; and

(II) subject to notice and opportunity for public comment, adjust the exchange values solely on the basis of—

(aa) publicly available, peer-reviewed scientific data; and

(bb) other information consistent with widely used or commonly accepted existing exchange values.

(2) PRODUCTION AND CONSUMPTION PHASE-DOWN.—

(A) IN GENERAL.—During the period beginning on January 1 of each year listed in the table contained in subparagraph (C) and ending on December 31 of the year before the next year listed on that table, except as otherwise permitted under this section, no person shall—

(i) produce a quantity of a regulated substance without a corresponding quantity of production allowances, except as provided in paragraph (5); or

(ii) consume a quantity of a regulated substance without a corresponding quantity of consumption allowances.

(B) COMPLIANCE.—For each year listed on the table contained in subparagraph (C), the Administrator shall ensure that the annual quantity of all regulated substances produced or consumed in the United States does not exceed the product obtained by multiplying—

(i) the production baseline or consumption baseline, as applicable; and

(ii) the applicable percentage listed on the table contained in subparagraph (C).

(C) RELATION TO BASELINE.—On January 1 of each year listed in the following table, the Administrator shall apply the applicable percentage, as described in subparagraph (A):

Date	Percentage of Production Baseline	Percentage of Consumption Baseline
2020–2023	90 percent	90 percent
2024–2028	60 percent	60 percent
2029–2033	30 percent	30 percent
2034–2035	20 percent	20 percent
2036 and thereafter	15 percent	15 percent

(D) ALLOWANCES.—

(i) QUANTITY.—Not later than October 1 of each calendar year, the Administrator shall use the quantity calculated under subparagraph (B) to determine the quantity of allowances for the production and consumption of regulated substances that may be used for the following calendar year.

(ii) NATURE OF ALLOWANCES.—

(I) IN GENERAL.—An allowance allocated under this section—

(aa) does not constitute a property right; and

(bb) is a limited authorization for the production or consumption of a regulated substance under this section.

(II) SAVINGS PROVISION.—Nothing in this section or in any other provision of law limits the authority of the United States to terminate or limit an authorization described in subclause (I)(bb).

(3) REGULATIONS REGARDING PRODUCTION AND CONSUMPTION OF REGULATED SUBSTANCES.—Not later than 270 days after the date of enactment of this Act, the Administrator shall issue a final rule—

(A) phasing down the production of regulated substances in the United States through an allowance allocation and trading program in accordance with this section; and

(B) phasing down the consumption of regulated substances in the United States through an allowance allocation and trading program in accordance with the schedule under paragraph (2)(C) (subject to the same exceptions and other requirements as are applicable to the phase-down of production of regulated substances under this section).

(4) EXCEPTIONS.—

(A) FEEDSTOCKS AND PROCESS AGENTS.—Except for the reporting requirements described in subsection (d)(1), this section does not apply to—

(i) a regulated substance that is used and entirely consumed (except for trace quantities) in the manufacture of another chemical; or

(ii) a regulated substance that is used and not entirely consumed in the manufacture of another chemical, if the remaining amounts of the regulated substance are subsequently destroyed.

(B) ESSENTIAL USES.—

(i) IN GENERAL.—Not earlier than January 1, 2034, the Administrator may, after notice and opportunity for public comment, authorize the production or consumption of a regulated substance for a period of not more than 5 years in a quantity in excess of the quantities authorized under paragraph (2)(A) for the exclusive use of the regulated substance in an application with respect to which the Administrator determines that—

(I) no substitute will be available during the applicable period for that application, considering technological achievability, commercial demands, safety, and other relevant factors; and

(II) the total supply of the regulated substance authorized under paragraph (2)(A), including any quantities of a regulated substance available from reclaiming, prior production, or prior import, is insufficient to accommodate the application.

(ii) LIMITATION.—No person receiving an authorization under clause (i) may, on an annual basis, produce or consume a quantity of a regulated substance that is greater than 10 percent of the quantity that the person produced or consumed to contribute to the production baseline or the consumption baseline, as applicable.

(iii) REVIEW.—

(I) IN GENERAL.—For each application for which the Administrator has authorized the production or consumption, as applicable, of a regulated substance under clause (i), the Administrator shall review the availability of substitutes, including any quantities of the regulated substance available from reclaiming or prior production, not less frequently than once every 5 years, considering technological achievability, commercial demands, safety, and other relevant factors.

(II) EXTENSION.—If the Administrator determines, subject to notice and opportunity for public comment, that no substitute will be available for an application for which the Administrator granted a waiver under clause (i) during a subsequent period, the Administrator may authorize the production or consumption, as applicable, of any regulated substance used in the application for not more than an additional 5 years in a quantity in excess of the quantity authorized under paragraph (2)(A) for exclusive use in the application.

(5) DOMESTIC MANUFACTURING.—Notwithstanding paragraph (2)(A)(i), the Administrator may authorize a person to produce a regulated substance in excess of the number of production allowances held by that person, subject to the conditions that—

(A) the authorization is—

(i) for a renewable period of not more than 5 years; and

(ii) subject to notice and opportunity for public comment; and

(B) the production—

(i) is at a facility located in the United States;

(ii) is solely for export to, and use in, a foreign country that is not subject to the prohibition in subsection (j)(1); and

(iii) would not violate paragraph (2)(B).

(f) ACCELERATED SCHEDULE.—

(1) IN GENERAL.—Subject to paragraph (4), the Administrator may, in response to a petition submitted to the Administrator in accordance with paragraph (3) and after notice and opportunity for public comment, promulgate regulations that establish a schedule for phasing down the production or consumption of regulated substances that is more stringent than the production and consumption levels of regulated substances required under subsection (e)(2)(C) if, based on the availability of substitutes for regulated substances, the Administrator determines that a more-stringent schedule is practicable, taking into account technological

achievability, commercial demands, safety, and other relevant factors, including the quantities of regulated substances available from reclaiming, prior production, or prior import.

(2) REQUIREMENT.—In making a determination on whether to implement a more-stringent phase-down schedule under paragraph (1), the Administrator shall—

(A) consider—

(i) the remaining phase-down period for regulated substances under subsection (e), if applicable; and

(ii) relevant, publicly available, peer-reviewed scientific data;

(B) apply uniformly any regulations promulgated pursuant to paragraph (1) to the allocation of production and consumption allowances for regulated substances, in accordance with subsection (e)(3); and

(C) adjust the production and consumption allowances accordingly.

(3) PETITION.—

(A) IN GENERAL.—A person may petition the Administrator to promulgate regulations for an accelerated schedule for the phase-down of production or consumption of regulated substances under paragraph (1).

(B) REQUIREMENT.—A petition submitted under subparagraph (A) shall—

(i) be made at such time, in such manner, and containing such information as the Administrator shall require; and

(ii) include a showing by the petitioner that there are data to support the petition.

(C) TIMELINES.—

(i) PETITIONS.—The Administrator shall grant or deny the petition under subparagraph (A) by not later than 270 days after the date on which the Administrator receives the petition.

(ii) REGULATIONS.—If the Administrator grants a petition under subparagraph (A), the final regulations with respect to the petition shall be promulgated by not later than 1 year after the date on which the Administrator grants the petition.

(D) DENIAL.—If the Administrator denies a petition under subparagraph (A), the Administrator shall publish a description of the reason for the denial.

(E) INSUFFICIENT INFORMATION.—If the Administrator determines that the data included under subparagraph (B)(ii) in a petition are not sufficient to make a determination under this paragraph, the Administrator shall use any authority available to the Administrator to acquire the necessary data.

(4) APPLICABILITY.—The Administrator may not promulgate under paragraph (1) a regulation for the production or consumption of regulated substances that is more stringent than the production or consumption levels required under subsection (e)(2)(C) that takes effect before January 1, 2024.

(g) EXCHANGE AUTHORITY.—

(1) TRANSFERS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall promulgate a final regulation that governs the transfer of allowances for the production of regulated substances under subsection (e)(3)(A) that uses—

(A) the applicable exchange values described in the table contained in subsection (c)(1); or

(B) the exchange value described in the rule designating the substance as a regulated substance under subsection (c)(3).

(2) REQUIREMENTS.—The final rule promulgated pursuant to paragraph (1)(A) shall—

(A) ensure that the transfers under this subsection will result in greater total reductions in the production of regulated substances in each year than would occur during the year in the absence of the transfers;

(B) permit 2 or more persons to transfer production allowances if the transferor of the allowances will be subject, under the final rule, to an enforceable and quantifiable reduction in annual production that—

(i) exceeds the reduction otherwise applicable to the transferor under this section;

(ii) exceeds the quantity of production represented by the production allowances transferred to the transferee; and

(iii) would not have occurred in the absence of the transaction; and

(C) provide for the trading of consumption allowances in the same manner as is applicable under this subsection to the trading of production allowances.

(h) MANAGEMENT OF REGULATED SUBSTANCES.—

(1) IN GENERAL.—For purposes of maximizing reclaiming and minimizing the release of a regulated substance from equipment and ensuring the safety of technicians and consumers, the Administrator shall promulgate regulations to control, where appropriate, any practice, process, or activity regarding the servicing, repair, disposal, or installation of equipment (including requiring, where appropriate, that any such servicing, repair, disposal, or installation be performed by a trained technician meeting minimum standards, as determined by the Administrator) that involves—

(A) a regulated substance;

(B) a substitute for a regulated substance;

(C) the reclaiming of a regulated substance used as a refrigerant; or

(D) the reclaiming of a substitute for a regulated substance used as a refrigerant.

(2) RECLAIMING.—

(A) IN GENERAL.—In carrying out this section, the Administrator shall consider the use of authority available to the Administrator under this section to increase opportunities for the reclaiming of regulated substances used as refrigerants.

(B) RECOVERY.—A regulated substance used as a refrigerant that is recovered shall be reclaimed before the regulated substance is sold or transferred to a new owner, except where the recovered regulated substance is sold or transferred to a new owner solely for the purposes of being reclaimed or destroyed.

(3) COORDINATION.—In promulgating regulations to carry out this subsection, the Administrator may coordinate those regulations with any other regulations promulgated by the Administrator that involve—

(A) the same or a similar practice, process, or activity regarding the servicing, repair, disposal, or installation of equipment; or

(B) reclaiming.

(i) TECHNOLOGY TRANSITIONS.—

(1) AUTHORITY.—Subject to the provisions of this subsection, the Administrator may by rule restrict, fully, partially, or on a graduated schedule, the use of a regulated substance in the sector or subsector in which the regulated substance is used.

(2) NEGOTIATED RULEMAKING.—

(A) CONSIDERATION REQUIRED.—Before proposing a rule for the use of a regulated substance for a sector or subsector under paragraph (1), the Administrator shall consider negotiating with stakeholders in the sector or subsector subject to the potential rule in accordance with the negotiated rulemaking procedure provided for under subchapter III of chapter 5 of title 5, United States Code (commonly known as the ''Negotiated Rulemaking Act of 1990'').

(B) NEGOTIATED RULEMAKINGS.—If the Administrator negotiates a rulemaking with stakeholders using the procedure described in subparagraph (A), the Administrator shall, to the extent practicable, give priority to completing that rulemaking over completing rulemakings that were not negotiated using that procedure.

(C) NO NEGOTIATED RULEMAKING.—If the Administrator does not negotiate a rulemaking with stakeholders using the procedure described in subparagraph (A), the Administrator shall, before commencement of the rulemaking process for a rule under paragraph (1), publish an explanation of the decision of the Administrator to not use that procedure.

(3) TRANSITION.—

(A) PROPOSALS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall publish in the Federal Register a proposal of 1 or more dates after which the use of a regulated substance in a sector or subsector shall be restricted.

(B) FINAL RULES.—Not later than 18 months after the date on which the Administrator publishes a proposed rule under subparagraph (A) in the Federal Register, the Administrator shall issue a final rule for that proposed rule.

(4) PETITIONS.—

(A) IN GENERAL.—A person may petition the Administrator to issue a rule under paragraph (1) for the restriction on use of a regulated substance in a sector or subsector, which may include a request that the Administrator negotiate with stakeholders in accordance with paragraph (2)(A).

(B) RESPONSE.—The Administrator shall grant or deny a petition under subparagraph (A) not later than 180 days after the date of receipt of the petition.

(C) REQUIREMENTS.—

(i) EXPLANATION.—If the Administrator denies a petition under subparagraph (B), the Administrator shall publish in the Federal Register an explanation of the denial.

(ii) FINAL RULE.—If the Administrator grants a petition under subparagraph (B), the Administrator shall issue a final rule not later than 2 years after the date on which the Administrator grants the petition.

(iii) PUBLICATION OF PETITIONS.—Not later than 30 days after the date on which the Administrator receives a petition under subparagraph (A), the Administrator shall publish in the Federal Register that petition in full.

(5) CRITERIA.—In issuing a rule under paragraph (1), the Administrator shall consider the need—

(A) to promote and support domestic economic development;

(B) to maximize protections for human health and the environment;

(C) to minimize costs for the production, use, and reclaiming of regulated substances;

(D) to maximize flexibility for the recovery, reclaiming, and reuse of regulated substances;

(E) to ensure consumer safety;

(F) for the availability of substitutes, taking into account technological achievability, commercial demands, safety, and other relevant factors, including lead times for equipment conversion; and

(G) to minimize any additional costs to consumers.

(6) EVALUATION.—In carrying out this subsection, the Administrator shall evaluate substitutes for regulated substances in a sector or subsector, taking into account technological achievability, commercial demands, safety, and other relevant factors.

(j) INTERNATIONAL COOPERATION.—

(1) IN GENERAL.—Subject to paragraph (2), no person subject to the requirements of this section shall trade or transfer a production allowance or, after January 1, 2033, export a regulated substance to a person in a foreign country that, as determined by the Administrator, has not enacted or otherwise established within a reasonable timeframe after the date of enactment of this Act the same or similar requirements or otherwise undertaken commitments regarding the production and consumption of regulated substances as are contained in this section.

(2) TRANSFERS.—Pursuant to paragraph (1), a person in the United States may engage in a trade or transfer of a production allowance—

(A) to a person in a foreign country if, at the time of the transfer, the Administrator revises the number of allowances for production under subsection (e)(2), as applicable, for the United States such that the aggregate national production of the regulated substance to be traded under the revised production limits is equal to the least of—

(i) the maximum production level permitted for the applicable regulated substance in the year of the transfer under this section, less the production allowances transferred;

(ii) the maximum production level permitted for the applicable regulated substances in the transfer year under applicable law, less the production allowances transferred; and

(iii) the average of the actual national production level of the applicable regulated substances for the 3-year period ending on the date of the transfer, less the production allowances transferred; or

(B) from a person in a foreign country if, at the time of the trade or transfer, the Administrator finds that the foreign country has revised the domestic production limits of the regulated substance in the same manner as provided with respect to transfers by a person in United States under this subsection.

(3) EFFECT OF TRANSFERS ON PRODUCTION LIMITS.—The Administrator may—

(A) reduce the production limits established under subsection (e)(2)(B) as required as a prerequisite to a transfer described in paragraph (2)(A); or

(B) increase the production limits established under subsection (e)(2)(B) to reflect production allowances acquired under a trade or transfer described in paragraph (2)(B).

(4) REGULATIONS.—The Administrator shall—

(A) not later than 1 year after the date of enactment of this Act, promulgate a final rule to carry out this subsection; and

(B) not less frequently than annually, review and, if necessary, revise the final rule promulgated pursuant to subparagraph (A).

(k) RELATIONSHIP TO OTHER LAW.—

(1) IMPLEMENTATION.—

(A) RULEMAKINGS.—The Administrator may promulgate such regulations as are necessary to carry out the functions of the Administrator under this section.

(B) DELEGATION.—The Administrator may delegate to any officer or employee of the Environmental Protection Agency such of the powers and duties of the Administrator under this section as the Administrator determines to be appropriate.

(C) CLEAN AIR ACT.—Sections 113, 114, 304, and 307 of the Clean Air Act (42 U.S.C. 7413, 7414, 7604, 7607) shall apply to this section and any regulations promulgated by the Administrator pursuant to this section as though this section were expressly included in each of those sections, as applicable, and the requirements of this section were part of that Act (42 U.S.C. 7401 et seq.).

(2) AUTHORITY.—On issuance of a final rule under subsection (e)(3) for the production and consumption of regulated substances, notwithstanding any other provision of law, the Administrator shall have no authority to regulate the production or consumption of regulated substances under section 614(b) of the Clean Air Act (42 U.S.C. 7671m(b)).

SA 1505. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF ENERGY.

(a) ACCELERATING SBIR AND STTR AWARD TIMELINES AT THE DEPARTMENT OF ENERGY.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(8)—

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

(B) in subparagraph (C), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(D) with respect to the SBIR program of the Department of Energy, the average and median amount of time that the Department of Energy takes to review and make a final decision on proposals submitted under the program;'';

(2) in subsection (o)(9)—

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

(B) in subparagraph (C), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(D) with respect to the STTR program of the Department of Energy, the average and median amount of time that the Department of Energy takes to review and make a final decision on proposals submitted under the program;'';

(3) in subsection (hh), by adding at the end the following:

''(3) REQUIREMENT TO ACCELERATE DEPARTMENT OF ENERGY SBIR AND STTR AWARDS.—Not later than 1 year after the date of enactment of this paragraph, the Department of Energy shall establish a program to reduce the time for awards under the SBIR and STTR programs of the Department of Energy by—

''(A) developing simplified and standardized procedures and model contracts or awards throughout the Department of Energy for Phase I, Phase II, and Phase III SBIR awards;

''(B) for Phase I SBIR and STTR awards, reducing the amount of time between solicitation closure and award;

''(C) for Phase II SBIR and STTR awards, reducing the amount of time between the end of a Phase I award and the start of the Phase II award;

''(D) for Phase II SBIR and STTR awards that skip Phase I, reducing the amount of time between solicitation closure and award;

''(E) for sequential Phase II SBIR and STTR awards, reducing the amount of time between Phase II awards; and

''(F) reducing the award times described in subparagraphs (B), (C), (D), and (E) to be as close to 90 days as possible.''; and

(4) in subsection (ii), by adding at the end the following:

''(3) ADDITIONAL COMPTROLLER GENERAL REPORTS FOR THE DEPARTMENT OF ENERGY.—The Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, with respect to the SBIR and STTR programs Department of Energy—

''(A) not later than 2 years after the date of enactment of this paragraph, a report that—

''(i) provides the average and median amount of time that the Department takes to review and make a final decision on proposals submitted under each program; and

''(ii) compares that average and median amount of time with that of the previous 5 fiscal years; and

''(B) not later than March 31, 2024, a report that—

''(i) includes the information described in subparagraph (A);

''(ii) assesses where the Department of Energy needs improvement with respect to the proposal review and award times under each program;

''(iii) identifies best practices for shortening the proposal review and award times under each program; and

''(iv) analyzes the efficacy of the program established under subsection (hh)(3).''.

(b) IMPROVEMENTS TO COMMERCIALIZATION SELECTION.—

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

(A) in subsection (g)—

(i) in paragraph (11), by striking ''and'' at the end;

(ii) in paragraph (12), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(13) with respect to peer review carried out under the SBIR program of the Department of Energy, to the extent practicable, include in the peer review—

''(A) the likelihood of commercialization in addition to scientific and technical merit and feasibility; and

''(B) not less than 1 reviewer with commercialization expertise who is capable of assessing the likelihood of commercialization.'';

(B) in subsection (o)—

(i) in paragraph (15), by striking ''and'' at the end;

(ii) in paragraph (16), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(17) with respect to peer review carried out under the STTR program of the Department of Energy, to the extent practicable, include in the peer review—

''(A) the likelihood of commercialization in addition to scientific and technical merit and feasibility; and

''(B) not less than 1 reviewer with commercialization expertise who is capable of assessing the likelihood of commercialization.'';

(C) in subsection (cc)—

(i) by striking ''During fiscal years 2012 through 2022, the National Institutes of Health, the Department of Defense, and the Department of Education'' and inserting the following:

''(1) IN GENERAL.—During fiscal years 2020 through 2025, the National Institutes of Health, the Department of Defense, the Department of Education, and the Department of Energy''; and

(ii) by adding at the end the following:

''(2) LIMITATION.—The total value of awards provided by a Federal agency described in paragraph (1) under this subsection in a fiscal year shall be not more than 10 percent of the total funds allocated to the SBIR and STTR programs of the Federal agency during that fiscal year.

''(3) EXTENSION.—During fiscal years 2024 and 2025, each Federal agency described in paragraph (1) may continue phase flexibility as described in this subsection only if the reports required under subsection (tt)(1)(B) have been submitted to the appropriate committees.'';

(D) in subsection (hh)(2)(A)(i), by inserting ''application process and requirements'' after ''simplified and standardized''; and

(E) by adding at the end the following:

''(vv) TECHNOLOGY COMMERCIALIZATION OFFICIAL IN THE DEPARTMENT OF ENERGY.—The Department of Energy shall designate a Technology Commercialization Official in the Department of Energy, who shall—

''(1) have sufficient commercialization experience;

''(2) provide assistance to SBIR and STTR program awardees in commercializing and transitioning technologies;

''(3) identify SBIR and STTR program technologies with sufficient technology and commercialization readiness to advance to Phase III awards or other non-SBIR or STTR program contracts;

''(4) coordinate with the Technology Commercialization Officials of other Federal agencies to identify additional markets and commercialization pathways for promising SBIR and STTR program technologies;

''(5) submit to the Administration an annual report on the number of technologies from the SBIR or STTR program that have advanced commercialization activities, including information required in the commercialization impact assessment under subsection (xx) and how those activities may relate to support of the diversification of the United States supply chain;

''(6) submit to the Administration an annual report on actions taken by the Federal agency, and the results of those actions, to simplify, standardize, and expedite the application process and requirements, procedures, and contracts as required under subsection (hh) and described in subsection (xx)(E); and

''(7) carry out such other duties as the Department of Energy determines necessary.''.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives summarizing the metrics relating to and an evaluation of the authority provided under section 9(hh) of the Small Business Act (15 U.S.C. 638(hh)) to the Department of Energy, as amended by subsection (a), which shall include the size and location of the small business concerns, as defined in section 3 of the Small Business Act (15 U.S.C. 632), receiving awards under the SBIR or STTR program, as defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)), of the Department of Energy.

SA 1506. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 6074, making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RESCISSIONS.

(a) EDUCATIONAL AND CULTURAL ASSISTANCE PROGRAMS.—Notwithstanding any other provision of law, all amounts made available for fiscal year 2020 for the East-West Center under title I of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94), the Inter-American Foundation under title III of such Act, and educational and cultural exchange programs under title I of such Act that remain unobligated as of the date of the enactment of this Act are rescinded.

(b) PROPORTIONAL RESCISSIONS OF OTHER UNOBLIGATED DISCRETIONARY APPROPRIATIONS.—

(1) IN GENERAL.—Except as provided under paragraph (2), after rescinding the amounts required under subsection (a), the Director of the Office of Management and Budget shall rescind, on a proportional basis, such amounts as may be necessary to fully offset (in conjunction with the rescissions under subsection (a)) the amounts appropriated by this Act from the unobligated amounts appropriated for fiscal year 2020 for—

(A) the Economic Support Fund under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); and

(B) the United States Agency for International Development.

(2) EXCLUSIONS.—In making the rescissions required under paragraph (1), the Director shall not rescind any amounts appropriated for—

(A) global health programs under title III of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94); or

(B) assistance to Israel.

SA 1507. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 21_____. LOAN GUARANTEES FOR PROJECTS THAT INCREASE THE DOMESTIC SUPPLY OF CRITICAL MINERALS.

(a) IN GENERAL.—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the end the following:

''(11) Projects that increase the domestic supply of critical minerals (as designated by the Secretary of the Interior under section 2101(c) of the American Energy Innovation Act of 2020), including through mining, processing, recycling, and the fabrication of mineral alternatives.''.

(b) PROHIBITION ON USE OF APPROPRIATED FUNDS.—Amounts appropriated to the Department before the date of enactment of this Act shall not be made available for the cost of loan guarantees made under paragraph (11) of section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)).

SA 1508. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

On page 362, strike lines 14 through 16 and insert the following:

(EE) biofuel vehicle technologies, including ethanol and biodiesel combustion systems, and biofuel infrastructure, including the use of agricultural feedstocks to provide fuel and power; and

(FF) other research areas as determined by the Secretary.

SA 1509. Ms. MCSALLY (for herself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—MISCELLANEOUS

SEC. 4001. FIREWOOD BANKS.

(a) DEFINITIONS.—In this section:

(1) COOPERATING PARTY.—The term ''cooperating party'' means a State, local, or Tribal government, a private company, a nonprofit organization, and a cooperative.

(2) FIREWOOD BANK.—The term ''firewood bank'' means a site—

(A) at which firewood is collected, processed, or stored; and

(B) that is used by a cooperating party to distribute firewood to low-income or disabled individuals for personal use.

(3) SECRETARIES.—The term ''Secretaries'' means the Secretary, the Secretary of the Interior, and the Secretary of Agriculture.

(4) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, in the case of Federal land administered by the Secretary of the Interior, including trust land (as defined in section 3765 of title 38, United States Code); and

(B) the Secretary of Agriculture, in the case of Federal land administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) PROMOTION OF FIREWOOD BANKS.—The Secretaries shall promote the use of firewood banks by carrying out this section.

(c) FIREWOOD BANKS WITHIN COMMUNITIES.—

(1) IN GENERAL.—The Secretary and the Secretary of Agriculture (referred to in this subsection as the ''Secretaries'') may establish a program to acquire a parcel of land or an interest in a parcel of land within 1 or more communities to be used as a local firewood bank.

(2) ACQUISITIONS.—The land referred to in paragraph (1) may be acquired through a fee-simple purchase, an easement, or a donation.

(3) PARCEL REQUIREMENTS.—A parcel of land acquired under paragraph (1)—

(A) shall be in a community in which at least 20 percent of the residents primarily heat their homes with a wood-burning stove;

(B) shall be not less than ½ acre and not more than 6 acres in size;

(C) shall be able to store not fewer than 100 cords of firewood;

(D) may have equipment on site to process logs into firewood; and

(E) may be subject to any other requirements that the Secretaries, in consultation with cooperating parties under paragraph (4), determine to be necessary for the efficient, effective, and safe administration of the firewood bank.

(4) COOPERATING PARTIES.—The Secretaries may authorize or consult with cooperating parties—

(A) to maintain the parcel of land acquired under paragraph (1); and

(B) to operate the firewood bank.

(5) USE OF LAND.—The Secretaries, or the cooperating parties, as applicable, shall use a parcel of land acquired under paragraph (1) exclusively as a firewood bank.

(d) FIREWOOD BANKS ON FEDERAL LAND.—

(1) IN GENERAL.—The Secretary concerned may authorize 1 or more firewood banks to be established and operated on Federal land, including trust land (as defined in section 3765 of title 38, United States Code).

(2) REQUIREMENTS.—A firewood bank described in paragraph (1)—

(A) may only be established if the firewood bank—

(i) will be located within 50 miles of a community in which at least 20 percent of the residents primarily heat their homes with a wood-burning stove;

(ii) will occupy an area not less than ½ acre and not more than 6 acres in size; and

(iii) will be able to store not fewer than 20 cords of firewood; and

(B) may have privately or publicly owned equipment on site to process logs into firewood.

(3) COOPERATING PARTIES.—The Secretary concerned may authorize or consult with cooperating parties—

(A) to maintain the Federal land on which the firewood bank is established under this subsection; and

(B) to operate the firewood bank.

(4) USE OF FEDERAL LAND.—The Secretary concerned, or a cooperating party, as applicable, shall use the land on which a firewood bank is established under this subsection exclusively as a firewood bank.

(e) SECURE SUPPLIES OF FIREWOOD FOR FIREWOOD BANKS.—

(1) IN GENERAL.—The Secretary concerned shall—

(A) designate trees for cutting and removal on Federal land by marking; and

(B) make those trees available to firewood banks, consistent with this subsection.

(2) DESIGNATION.—The Secretary concerned shall designate trees under paragraph (1)(A)—

(A) in an area located within 50 miles of each firewood bank established under subsection (d); and

(B) in other areas that the Secretary concerned determines to be appropriate.

(3) REQUIREMENT.—The Secretaries concerned shall designate trees under paragraph (1)(A) in a sufficient quantity to provide at least 100 cords of firewood continuously.

(4) NO FEE REQUIRED.—

(A) IN GENERAL.—Any Federal employee or party designated by a firewood bank may cut, remove, and transport to a firewood bank a tree designated under paragraph (1)(A) without incurring any fee.

(B) LIMITATIONS.—

(i) PERMITS.—The Secretary concerned may require a permit for the cutting and removal of a tree designated under paragraph (1)(A).

(ii) NO SIGNIFICANT DAMAGE TO RESOURCES.—A Federal employee or party designated by a firewood bank shall not be permitted to significantly damage any resource while cutting or removing a tree designated under paragraph (1)(A).

(5) CLOSED ENTRY.—The Secretary concerned may close to entry an area with trees designated under paragraph (1)(A), or make that entry subject to such conditions as the Secretary concerned determines are necessary—

(A) for periods of not longer than 60 consecutive calendar days; and

(B) for not longer than 150 calendar days during any 1 calendar year.

(f) REPORT.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Secretaries shall prepare a report describing the implementation of this section.

(2) CONSULTATION.—The Secretaries may prepare the report described in paragraph (1) in consultation with cooperating parties.

(3) CONTENTS.—The Secretaries shall include in the report described in paragraph (1)—

(A) an assessment of whether, and to what extent, the program under this section—

(i) is providing assistance to low-income and disabled individuals;

(ii) is using cooperating parties to establish, operate, and maintain firewood banks; and

(iii) is supplying firewood from trees designated under subsection (e)(1)(A);

(B) lists describing—

(i) the acquisitions made under subsection (c) and the locations at which the acquisitions were made;

(ii) the locations of firewood banks established under subsection (d)(1);

(iii) the cooperating parties that are assisting in operating firewood banks established under subsection (d)(1); and

(iv) the units of Federal land on which the Secretary concerned has designated trees under subsection (e)(1); and

(C) recommendations to Congress on ways to improve the administration, efficacy, and effectiveness of the program under this section.

(4) SUBMISSION.—On completion of each report described in paragraph (1), the Secretaries shall submit the report to—

(A) the Committee on Energy and Natural Resources of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Natural Resources of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

SA 1510. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill S. 893, to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Secure 5G and Beyond Act of 2020''.

SEC. 2. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this Act, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

SEC. 3. STRATEGY TO ENSURE SECURITY OF NEXT GENERATION WIRELESS COMMUNICATIONS SYSTEMS AND INFRASTRUCTURE.

(a) STRATEGY REQUIRED.—Not later than 180 days after the date of enactment of this Act, the President, in consultation with the Chairman of the Federal Communications Commission, the Secretary of Commerce, the Assistant Secretary of Commerce for Communications and Information, the Secretary of Homeland Security, the Director of National Intelligence, the Attorney General, the Secretary of State, the Secretary of Energy, and the Secretary of Defense, and consistent with the protection of national security information, shall develop and submit to the appropriate committees of Congress a strategy—

(1) to ensure the security of 5th and future generations wireless communications systems and infrastructure within the United States;

(2) to provide technical assistance to mutual defense treaty allies of the United States, strategic partners of the United States, and other countries, when in the security and strategic interests of the United States, to maximize the security of 5th and future generations wireless communications systems and infrastructure inside their countries; and

(3) to protect the competitiveness of United States companies, privacy of United States consumers, and integrity and impartiality of standards-setting bodies and processes related to 5th and future generations wireless communications systems and infrastructure.

(b) DESIGNATION.—The strategy developed under subsection (a) shall be known as the ''National Strategy to Secure 5G and Next Generation Wireless Communications'' (referred to in this Act as the ''Strategy'').

(c) ELEMENTS.—The Strategy shall represent a whole-of-government approach and shall include the following:

(1) A description of efforts to facilitate domestic 5th and future generations wireless communications rollout.

(2) A description of efforts to assess the risks to and identify core security principles of 5th and future generations wireless communications infrastructure.

(3) A description of efforts to address risks to the national security of the United States during development and deployment of 5th and future generations wireless communications infrastructure worldwide.

(4) A description of efforts to promote responsible global development and deployment of 5th and future generations wireless communications, including through robust international engagement, leadership in the development of international standards, and incentivizing market competitiveness of secure 5th and future generation wireless communications infrastructure options.

(d) PUBLIC CONSULTATION.—In developing the Strategy, the President shall consult with relevant groups that represent consumers or the public interest, private sector communications providers, and communications infrastructure and systems equipment developers.

SEC. 4. STRATEGY IMPLEMENTATION PLAN.

Not later than 180 days after the date of enactment of this Act, the President shall develop and submit to the appropriate committees of Congress an implementation plan for the Strategy (referred to in this Act as the ''Implementation Plan''), which shall include, at a minimum, the following:

(1) A description of United States national and economic security interests pertaining to the deployment of 5th and future generations wireless communications systems and infrastructure.

(2) An identification and assessment of potential security threats and vulnerabilities to the infrastructure, equipment, systems, software, and virtualized networks that support 5th and future generations wireless communications systems, infrastructure, and enabling technologies, which shall, as practicable, include a comprehensive evaluation of the full range of threats to, and unique security challenges posed by, 5th and future generations wireless communications systems and infrastructure, as well as steps that public and private sector entities can take to mitigate those threats.

(3) An identification and assessment of the global competitiveness and vulnerabilities of United States manufacturers and suppliers of 5th and future generations wireless communications equipment.

(4) An evaluation of available domestic suppliers of 5th and future generations wireless communications equipment and other suppliers in countries that are mutual defense allies or strategic partners of the United States and a strategy to assess their ability to produce and supply 5th generation and future generations wireless communications systems and infrastructure.

(5) Identification of where security gaps exist in the United States domestic or mutual defense treaty allies and strategic partners communications equipment supply chain for 5th and future generations wireless communications systems and infrastructure.

(6) Identification of incentives and policy options to help close or narrow any security gaps identified under paragraph (5) in, and ensure the economic viability of, the United

States domestic industrial base, including research and development in critical technologies and workforce development in 5th and future generations wireless communications systems and infrastructure.

(7) Identification of incentives and policy options for leveraging the communications equipment suppliers from mutual defense treaty allies, strategic partners, and other countries to ensure that private industry in the United States has adequate sources for secure, effective, and reliable 5th and future generations wireless communications systems and infrastructure equipment.

(8) A plan for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share security risk information and findings pertaining to 5th and future generations wireless communications systems and infrastructure equipment and cooperation on mitigating those risks.

(9) A plan for engagement with private sector communications infrastructure and systems equipment developers and critical infrastructure owners and operators who have a critical dependency on communications infrastructure to share information and findings on 5th and future generations wireless communications systems and infrastructure equipment standards to secure platforms.

(10) A plan for engagement with private sector communications infrastructure and systems equipment developers to encourage the maximum participation possible on standards-setting bodies related to such systems and infrastructure equipment standards by public and private sector entities from the United States.

(11) A plan for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share information and findings on 5th and future generations wireless communications systems and infrastructure equipment standards to promote maximum interoperability, competitiveness, openness, and secure platforms.

(12) A plan for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share information and findings on 5th and future generations wireless communications infrastructure and systems equipment concerning the standards-setting bodies related to such systems and infrastructure equipment to promote maximum transparency, openness, impartiality, integrity, and neutrality.

(13) A plan for joint testing environments with mutual defense treaty allies, strategic partners, and other countries to ensure a trusted marketplace for 5th and future generations wireless communications systems and infrastructure equipment.

(14) A plan for research and development by the Federal Government, in close partnership with trusted supplier entities, mutual defense treaty allies, strategic partners, and other countries to reach and maintain United States leadership in 5th and future generations wireless communications systems and infrastructure security, including the development of an ongoing capability to identify security vulnerabilities in 5th and future generations wireless communications systems.

(15) Options for identifying and helping to mitigate the security risks of 5th and future generations wireless communications systems and infrastructure that have security flaws or vulnerabilities, or are utilizing equipment sourced from countries of concern, and that have already been put in place within the systems and infrastructure of mutual defense treaty allies, strategic partners, and other countries, when in the security interests of the United States.

(16) A description of the roles and responsibilities of the appropriate executive branch agencies and interagency mechanisms to coordinate implementation of the Strategy, as provided in section 5(d).

(17) An identification of the key diplomatic, development, intelligence, military, and economic resources necessary to implement the Strategy, including specific budgetary requests.

(18) As necessary, a description of such legislative or administrative action needed to carry out the Strategy.

SEC. 5. LIMITATIONS AND BRIEFINGS.

(a) LIMITATIONS.—

(1) IN GENERAL.—The Strategy and the Implementation Plan shall not include a recommendation or a proposal to nationalize 5th or future generations wireless communications systems or infrastructure.

(2) FEDERAL AGENCY AUTHORITY.—Nothing in this Act shall be construed to limit any authority or ability of any Federal agency.

(b) PUBLIC COMMENT.—Not later than 60 days after the date of enactment of this Act, the President shall seek public comment regarding the development and implementation of the Implementation Plan.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 21 days after the date on which the Implementation Plan is completed, the President shall direct appropriate representatives from the departments and agencies involved in the formulation of the Strategy to provide the appropriate committees of Congress a briefing on the implementation of the Strategy.

(2) UNCLASSIFIED SETTING.—The briefing under paragraph (1) shall be held in an unclassified setting to the maximum extent possible.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—The President and the National Telecommunications and Information Administration, in conjunction, shall—

(A) implement the Strategy;

(B) keep congressional committees apprised of progress on implementation; and

(C) not implement any proposal or recommendation involving non-Federal spectrum administered by the Federal Communications Commission unless the implementation of such proposal or recommendation is first approved by the Commission.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the authority or jurisdiction of the Federal Communications Commission or confer upon the President or any other executive branch agency the power to direct the actions of the Commission, whether directly or indirectly.

(e) FORM.—The Strategy and Implementation Plan shall be submitted to the appropriate committees of Congress in unclassified form, but may include a classified annex.

SA 1511. Mr. ROMNEY (for himself, Ms. WARREN, and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—NAVAJO UTAH WATER RIGHTS SETTLEMENT

SEC. 4001. SHORT TITLE.

This title may be cited as the ''Navajo Utah Water Rights Settlement Act of 2020''.

SEC. 4002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of all claims to water rights in the State of Utah for—

(A) the Navajo Nation; and

(B) the United States, for the benefit of the Nation;

(2) to authorize, ratify, and confirm the Agreement entered into by the Nation and the State, to the extent that the Agreement is consistent with this title;

(3) to authorize and direct the Secretary—

(A) to execute the Agreement; and

(B) to take any actions necessary to carry out the agreement in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Agreement and this title.

SEC. 4003. DEFINITIONS.

In this title:

(1) AGREEMENT.—The term ''agreement'' means—

(A) the document entitled ''Navajo Utah Water Rights Settlement Agreement'' dated December 14, 2015, and the exhibits attached thereto; and

(B) any amendment or exhibit to the document or exhibits referenced in subparagraph (A) to make the document or exhibits consistent with this title.

(2) ALLOTMENT.—The term ''allotment'' means a parcel of land—

(A) granted out of the public domain that is—

(i) located within the exterior boundaries of the Reservation; or

(ii) Bureau of Indian Affairs parcel number 792 634511 in San Juan County, Utah, consisting of 160 acres located in Township 41S, Range 20E, sections 11, 12, and 14, originally set aside by the United States for the benefit of an individual identified in the allotting document as a Navajo Indian; and

(B) held in trust by the United States—

(i) for the benefit of an individual, individuals, or an Indian Tribe other than the Navajo Nation; or

(ii) in part for the benefit of the Navajo Nation as of the enforceability date.

(3) ALLOTTEE.—The term ''allottee'' means an individual or Indian Tribe with a beneficial interest in an allotment held in trust by the United States.

(4) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date on which the Secretary publishes in the Federal Register the statement of findings described in section 4008(a).

(5) GENERAL STREAM ADJUDICATION.—The term ''general stream adjudication'' means the adjudication pending, as of the date of enactment, in the Seventh Judicial District in and for Grand County, State of Utah, commonly known as the ''Southeastern Colorado River General Adjudication'', Civil No. 810704477, conducted pursuant to State law.

(6) INJURY TO WATER RIGHTS.—The term ''injury to water rights'' means an interference with, diminution of, or deprivation of water rights under Federal or State law, excluding injuries to water quality.

(7) MEMBER.—The term ''member'' means any person who is a duly enrolled member of the Navajo Nation.

(8) NAVAJO NATION OR NATION.—The term ''Navajo Nation'' or ''Nation'' means a body politic and federally recognized Indian nation, as published on the list established under section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)), also known variously as the ''Navajo Nation'', the ''Navajo Nation of Arizona, New Mexico, & Utah'', and the ''Navajo Nation of Indians'' and other similar names, and includes all bands of Navajo Indians and chapters of the Navajo Nation and all divisions, agencies, officers, and agents thereof.

(9) NAVAJO WATER DEVELOPMENT PROJECTS.—The term ''Navajo water development projects'' means projects for domestic

municipal water supply, including distribution infrastructure, and agricultural water conservation, to be constructed, in whole or in part, using monies from the Navajo Water Development Projects Account.

(10) NAVAJO WATER RIGHTS.—The term ''Navajo water rights'' means the Nation's water rights in Utah described in the agreement and this title.

(11) OM&R.—The term ''OM&R'' means operation, maintenance, and replacement.

(12) PARTIES.—The term ''parties'' means the Navajo Nation, the State, and the United States.

(13) RESERVATION.—The term ''Reservation'' means, for purposes of the agreement and this title, the Reservation of the Navajo Nation in Utah as in existence on the date of enactment of this Act and depicted on the map attached to the agreement as Exhibit A, including any parcel of land granted out of the public domain and held in trust by the United States entirely for the benefit of the Navajo Nation as of the enforceability date.

(14) SECRETARY.—The term ''Secretary'' means the Secretary of the United States Department of the Interior or a duly authorized representative thereof.

(15) STATE.—The term ''State'' means the State of Utah and all officers, agents, departments, and political subdivisions thereof.

(16) UNITED STATES.—The term ''United States'' means the United States of America and all departments, agencies, bureaus, officers, and agents thereof.

(17) UNITED STATES ACTING IN ITS TRUST CAPACITY.—The term ''United States acting in its trust capacity'' means the United States acting for the benefit of the Navajo Nation or for the benefit of allottees.

SEC. 4004. RATIFICATION OF AGREEMENT.

(a) APPROVAL BY CONGRESS.—Except to the extent that any provision of the agreement conflicts with this title, Congress approves, ratifies, and confirms the agreement (including any amendments to the agreement that are executed to make the agreement consistent with this title).

(b) EXECUTION BY SECRETARY.—The Secretary is authorized and directed to promptly execute the agreement to the extent that the agreement does not conflict with this title, including—

(1) any exhibits to the agreement requiring the signature of the Secretary; and

(2) any amendments to the agreement necessary to make the agreement consistent with this title.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the agreement and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) all other applicable environmental laws and regulations.

(2) EXECUTION OF THE AGREEMENT.—Execution of the agreement by the Secretary as provided for in this title shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 4005. NAVAJO WATER RIGHTS.

(a) CONFIRMATION OF NAVAJO WATER RIGHTS.—

(1) QUANTIFICATION.—The Navajo Nation shall have the right to use water from water sources located within Utah and adjacent to or encompassed within the boundaries of the Reservation resulting in depletions not to exceed 81,500 acre-feet annually as described in the agreement and as confirmed in the decree entered by the general stream adjudication court.

(2) SATISFACTION OF ALLOTTEE RIGHTS.—Depletions resulting from the use of water on an allotment shall be accounted for as a depletion by the Navajo Nation for purposes of depletion accounting under the agreement, including recognition of—

(A) any water use existing on an allotment as of the date of enactment of this Act and as subsequently reflected in the hydrographic survey report referenced in section 4007(b);

(B) reasonable domestic and stock water uses put into use on an allotment; and

(C) any allotment water rights that may be decreed in the general stream adjudication or other appropriate forum.

(3) SATISFACTION OF ON-RESERVATION STATE LAW-BASED WATER RIGHTS.—Depletions resulting from the use of water on the Reservation pursuant to State law-based water rights existing as of the date of enactment of this Act shall be accounted for as depletions by the Navajo Nation for purposes of depletion accounting under the agreement.

(4) IN GENERAL.—The Navajo water rights are ratified, confirmed, and declared to be valid.

(5) USE.—Any use of the Navajo water rights shall be subject to the terms and conditions of the agreement and this title.

(6) CONFLICT.—In the event of a conflict between the agreement and this title, the provisions of this title shall control.

(b) TRUST STATUS OF NAVAJO WATER RIGHTS.—The Navajo water rights—

(1) shall be held in trust by the United States for the use and benefit of the Nation in accordance with the agreement and this title; and

(2) shall not be subject to forfeiture or abandonment.

(c) AUTHORITY OF THE NATION.—

(1) IN GENERAL.—The Nation shall have the authority to allocate, distribute, and lease the Navajo water rights for any use on the Reservation in accordance with the agreement, this title, and applicable Tribal and Federal law.

(2) OFF-RESERVATION USE.—The Nation may allocate, distribute, and lease the Navajo water rights for off-Reservation use in accordance with the agreement, subject to the approval of the Secretary.

(3) ALLOTTEE WATER RIGHTS.—The Nation shall not object in the general stream adjudication or other applicable forum to the quantification of reasonable domestic and stock water uses on an allotment, and shall administer any water use on the Reservation in accordance with applicable Federal law, including recognition of—

(A) any water use existing on an allotment as of the date of enactment of this Act and as subsequently reflected in the hydrographic survey report referenced in section 4007(b);

(B) reasonable domestic and stock water uses on an allotment; and

(C) any allotment water rights decreed in the general stream adjudication or other appropriate forum.

(d) EFFECT.—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by the Nation against the United States under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 4006. NAVAJO TRUST ACCOUNTS.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund, to be known as the ''Navajo Utah Settlement Trust Fund'' (referred to in this title as the ''Trust Fund''), to be managed, invested, and distributed by the Secretary and to remain available until expended, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any interest earned on those amounts, for the purpose of carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following Accounts:

(1) The Navajo Water Development Projects Account.

(2) The Navajo OM&R Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund Accounts—

(1) in the Navajo Water Development Projects Account, the amounts made available pursuant to section 4007(a)(1); and

(2) in the Navajo OM&R Account, the amount made available pursuant to section 4007(a)(2).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—Upon receipt and deposit of the funds into the Trust Fund Accounts, the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the deposits under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (h).

(e) AVAILABILITY OF AMOUNTS.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Nation by the Secretary beginning on the enforceability date and subject to the uses and restrictions set forth in this section.

(f) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—The Nation may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a tribal management plan submitted by the Nation in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(A) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Nation shall spend all amounts withdrawn from the Trust Fund and any investment earnings accrued through the investments under the Tribal management plan in accordance with this title.

(B) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan to ensure that amounts withdrawn by the Nation from the Trust Fund under this paragraph are used in accordance with this title.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—The Nation may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(A) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Nation shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Nation elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this title.

(B) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Nation, in accordance with subsections (c) and (h).

(C) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the plan, if the Secretary determines that the plan—

(i) is reasonable;

(ii) is consistent with, and will be used for, the purposes of this title; and

(iii) contains a schedule which described that tasks will be completed within 18 months of receipt of withdrawn amounts.

(D) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this title.

(g) EFFECT OF TITLE.—Nothing in this title gives the Nation the right to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan or an expenditure plan except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(h) USES.—Amounts from the Trust Fund shall be used by the Nation for the following purposes:

(1) The Navajo Water Development Projects Account shall be used to plan, design, and construct the Navajo water development projects and for the conduct of related activities, including to comply with Federal environmental laws.

(2) The Navajo OM&R Account shall be used for the operation, maintenance, and replacement of the Navajo water development projects.

(i) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Nation under subsection (f).

(j) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Nation.

(k) EXPENDITURE REPORTS.—The Navajo Nation shall submit to the Secretary annually an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan as described in this title.

SEC. 4007. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated to the Secretary—

(1) for deposit in the Navajo Water Development Projects Account of the Trust Fund established under section 4006(b)(1), $198,300,000, which funds shall be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(2) for deposit in the Navajo OM&R Account of the Trust Fund established under section 4006(b)(2), $11,100,000, which funds shall be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) IMPLEMENTATION COSTS.—There is authorized to be appropriated non-trust funds in the amount of $1,000,000 to assist the United States with costs associated with the implementation of the title, including the preparation of a hydrographic survey of historic and existing water uses on the Reservation and on allotments.

(c) STATE COST SHARE.—The State shall contribute $8,000,000 payable to the Secretary for deposit into the Navajo Water Development Projects Account of the Trust Fund established under section 4006(b)(1) in installments in each of the 3 years following the execution of the agreement by the Secretary as provided for in subsection (b) of section 4004.

(d) FLUCTUATION IN COSTS.—The amount authorized to be appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend.

(1) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(2) PERIOD OF INDEXING.—The period of indexing adjustment for any increment of funding shall end on the date on which funds are deposited into the Trust Fund.

SEC. 4008. CONDITIONS PRECEDENT.

(a) IN GENERAL.—The waivers and release contained in section 4009 shall become effective as of the date the Secretary causes to be published in the Federal Register a statement of findings that—

(1) to the extent that the agreement conflicts with the Act, the agreement has been revised to conform with this title;

(2) the agreement, so revised, including waivers and releases of claims set forth in section 4009, has been executed by the parties, including the United States;

(3) Congress has fully appropriated, or the Secretary has provided from other authorized sources, all funds authorized under subsection (a) of section 4007;

(4) the State has enacted any necessary legislation and provided the funding required under the agreement and subsection (c) of section 4007; and

(5) the court has entered a final or interlocutory decree that—

(A) confirms the Navajo water rights consistent with the agreement and this title; and

(B) with respect to the Navajo water rights, is final and nonappealable.

(b) EXPIRATION DATE.—If all the conditions precedent described in subsection (a) have not been fulfilled to allow the Secretary's statement of findings to be published in the Federal Register by October 31, 2030—

(1) the agreement and this title, including waivers and releases of claims described in those documents, shall no longer be effective;

(2) any funds that have been appropriated pursuant to section 4007 but not expended, including any investment earnings on funds that have been appropriated pursuant to such section, shall immediately revert to the general fund of the Treasury; and

(3) any funds contributed by the State pursuant to subsection (c) of section 4007 but not expended shall be returned immediately to the State.

(c) EXTENSION.—The expiration date set forth in subsection (b) may be extended if the Navajo Nation, the State, and the United States (acting through the Secretary) agree that an extension is reasonably necessary.

SEC. 4009. WAIVERS AND RELEASES.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE NATION AND THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR THE NATION.—Subject to the retention of rights set forth in subsection (c), in return for confirmation of the Navajo water rights and other benefits set forth in the agreement and this title, the Nation, on behalf of itself and the members of the Nation (other than members in their capacity as allottees), and the United States, acting as trustee for the Nation and members of the Nation (other than members in their capacity as allottees), are authorized and directed to execute a waiver and release of—

(A) all claims for water rights within Utah based on any and all legal theories that the Navajo Nation or the United States acting in its trust capacity for the Nation, asserted, or could have asserted, at any time in any proceeding, including to the general stream adjudication, up to and including the enforceability date, except to the extent that such rights are recognized in the agreement and this title; and

(B) all claims for damages, losses, or injuries to water rights or claims of interference with, diversion, or taking of water rights (including claims for injury to lands resulting from such damages, losses, injuries, interference with, diversion, or taking of water rights) within Utah against the State, or any person, entity, corporation, or municipality, that accrued at any time up to and including the enforceability date.

(b) CLAIMS BY THE NAVAJO NATION AGAINST THE UNITED STATES.—The Navajo Nation, on behalf of itself (including in its capacity as allottee) and its members (other than members in their capacity as allottees), shall execute a waiver and release of—

(1) all claims the Navajo Nation may have against the United States relating in any manner to claims for water rights in, or water of, Utah that the United States acting in its trust capacity for the Nation asserted, or could have asserted, in any proceeding, including the general stream adjudication;

(2) all claims the Navajo Nation may have against the United States relating in any manner to damages, losses, or injuries to water, water rights, land, or other resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights; claims relating to interference with, diversion, or taking of water; or claims relating to failure to protect, acquire, replace, or develop water or water rights) within Utah that first accrued at any time up to and including the enforceability date;

(3) all claims the Nation may have against the United States relating in any manner to the litigation of claims relating to the Nation's water rights in proceedings in Utah; and

(4) all claims the Nation may have against the United States relating in any manner to the negotiation, execution, or adoption of the agreement or this title.

(c) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS BY THE NAVAJO NATION AND THE UNITED STATES.—Notwithstanding the waivers and releases authorized in this title, the Navajo Nation, and the United States acting in its trust capacity for the Nation, retain—

(1) all claims for injuries to and the enforcement of the agreement and the final or interlocutory decree entered in the general stream adjudication, through such legal and equitable remedies as may be available in the decree court or the Federal District Court for the District of Utah;

(2) all rights to use and protect water rights acquired after the enforceability date;

(3) all claims relating to activities affecting the quality of water, including any claims under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq. (including claims for damages to natural resources)), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the regulations implementing those Acts, and the common law;

(4) all claims for water rights, and claims for injury to water rights, in states other than the State of Utah;

(5) all claims, including environmental claims, under any laws (including regulations and common law) relating to human health, safety, or the environment; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to the agreement and this title.

(d) EFFECT.—Nothing in the agreement or this title—

(1) affects the ability of the United States acting in its sovereign capacity to take actions authorized by law, including any laws relating to health, safety, or the environment, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), and the regulations implementing those laws;

(2) affects the ability of the United States to take actions in its capacity as trustee for any other Indian Tribe or allottee;

(3) confers jurisdiction on any State court to—

(A) interpret Federal law regarding health, safety, or the environment or determine the duties of the United States or other parties pursuant to such Federal law; and

(B) conduct judicial review of Federal agency action; or

(4) modifies, conflicts with, preempts, or otherwise affects—

(A) the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the Boulder Canyon Project Adjustment Act (43 U.S.C. 618 et seq.);

(C) the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.);

(D) the Colorado River Basin Project Act (43 U.S.C. 1501 et seq.);

(E) the Treaty between the United States of America and Mexico respecting utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944 (59 Stat. 1219);

(F) the Colorado River Compact of 1922, as approved by the Presidential Proclamation of June 25, 1929 (46 Stat. 3000); and

(G) the Upper Colorado River Basin Compact as consented to by the Act of April 6, 1949 (63 Stat. 31, chapter 48).

(e) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim waived by the Navajo Nation described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) LIMITATION.—Nothing in this section precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

SEC. 4010. MISCELLANEOUS PROVISIONS.

(a) PRECEDENT.—Nothing in this title establishes any standard for the quantification or litigation of Federal reserved water rights or any other Indian water claims of any other Indian Tribe in any other judicial or administrative proceeding.

(b) OTHER INDIAN TRIBES.—Nothing in the agreement or this title shall be construed in any way to quantify or otherwise adversely affect the water rights, claims, or entitlements to water of any Indian Tribe, band, or community, other than the Navajo Nation.

SEC. 4011. RELATION TO ALLOTTEES.

(a) NO EFFECT ON CLAIMS OF ALLOTTEES.—Nothing in this title or the agreement shall affect the rights or claims of allottees, or the United States, acting in its capacity as trustee for or on behalf of allottees, for water rights or damages related to lands allotted by the United States to allottees, except as provided in section 4005(a)(2).

(b) RELATIONSHIP OF DECREE TO ALLOTTEES.—Allottees, or the United States, acting in its capacity as trustee for allottees, are not bound by any decree entered in the general stream adjudication confirming the Navajo water rights and shall not be precluded from making claims to water rights in the general stream adjudication. Allottees, or the United States, acting in its capacity as trustee for allottees, may make claims and such claims may be adjudicated as individual water rights in the general stream adjudication.

SEC. 4012. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the agreement) if adequate appropriations are not provided expressly by Congress to carry out the purposes of this title.

SA 1512. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle D—Miscellaneous

SEC. 24____. DEPARTMENT OF THE INTERIOR PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the ''Director''), shall establish a pilot program in 1 State with at least 2,000 oil and gas drilling spacing units (as defined under State law), in which—

(1) 25 percent or less of the minerals are owned or held in trust by the Federal Government; and

(2) there is no surface land owned or held in trust by the Federal Government.

(b) ACTIVITIES.—In carrying out the pilot program, the Director shall identify and implement ways to streamline the review and approval of Applications for Permits to Drill for oil and gas drilling spacing units of the State in order to achieve a processing time for those oil and gas drilling spacing units similar to that of spacing units that require an Application for Permit to Drill and are not part of the pilot program in the same State.

(c) FUNDING.—Beginning in fiscal year 2021, and for a period of 3 years thereafter, to carry out the pilot program efficiently, the Director may fund up to 10 full-time equivalents at appropriate field offices.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Director shall submit to Congress a report on the results of the pilot program.

(e) WAIVER.—The Secretary of the Interior may waive the requirement for an Application for Permit to Drill if the Director determines that the mineral interest of the United States in the spacing units in land covered by this section is adequately protected, if otherwise in accordance with applicable laws, regulations, and lease terms.

SA 1513. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1407 proposed by Ms. MURKOWSKI to the bill S. 2657, to support innovation in advanced geothermal research and development, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title I, insert the following:

SEC. 12____. BIOMASS DEMONSTRATION PROJECT MODIFICATIONS.

(a) TRIBAL BIOMASS DEMONSTRATION PROJECT.—Section 3 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115b note; Public Law 108–278) is amended—

(1) in subsection (a), by striking ''fiscal years 2017 through 2021'' and inserting ''fiscal years 2019 through 2023''; and

(2) in subsection (f), in the matter preceding paragraph (1), by striking ''2019'' and inserting ''2021''.

(b) ALASKA NATIVE BIOMASS DEMONSTRATION PROJECT.—Section 202(c) of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017 (25 U.S.C. 3115b note; Public Law 115–325) is amended—

(1) in paragraph (2), by striking ''fiscal years 2017 through 2021'' and inserting ''fiscal years 2019 through 2023''; and

(2) in paragraph (7), in the matter preceding subparagraph (A), by striking ''2019'' and inserting ''2021''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. COTTON. Mr. President, I have 14 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session

of the Senate on Wednesday, March 4, 2020, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10 a.m., to conduct a hearing on the following nominations: John Peter Cronan, to be United States District Judge for the Southern District of New York, Thomas T. Cullen, to be United States District Judge for the Western District of Virginia, and Jennifer P. Togliatti, to be United States District Judge for the District of Nevada.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 2 p.m., to conduct a closed roundtable.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON AVIATION AND SPACE

The Subcommittee on Aviation and Space of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON NATIONAL PARKS

The Subcommittee on National Parks of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 2 p.m., to conduct a hearing.

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 10:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON CRIME AND TERRORISM

The Subcommittee on Crime and Terrorism of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 4, 2020, at 2 p.m., to conduct a hearing.

SECURE 5G AND BEYOND ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 395, S. 893.

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

The senior assistant legislative clerk read as follows:

A bill (S. 893) to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Secure 5G and Beyond Act of 2019''.

SEC. 2. STRATEGY TO ENSURE SECURITY OF NEXT GENERATION WIRELESS COMMUNICATIONS SYSTEMS AND INFRASTRUCTURE.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

(b) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the President, in consultation with the Chairman of the Federal Communications Commission, the Assistant Secretary of Commerce for Communications and Information, the Secretary of Homeland Security, the Director of National Intelligence, the Attorney General, and the Secretary of Defense, shall develop and submit to the appropriate committees of Congress a strategy—

(1) to ensure the security of 5th and future generations wireless communications systems and infrastructure within the United States;

(2) to provide technical assistance to mutual defense treaty allies of the United States, strategic partners of the United States, and other countries, when in the security interests of the United States, to maximize the security of 5th and future generations wireless communications systems and infrastructure inside their countries; and

(3) to protect the competitiveness of United States companies, privacy of United States consumers, and integrity and impartiality of standards-setting bodies related to 5th and future generations wireless communications systems and infrastructure.

(c) DESIGNATION.—The strategy developed under subsection (b) shall be known as the ''Secure Next Generation Wireless Communications Strategy'' (referred to in this section as the ''Strategy'').

(d) ELEMENTS.—The Strategy shall represent a whole-of-government approach and shall include the following:

(1) A description of United States national and economic security interests pertaining to the deployment of 5th and future generations wireless communications systems and infrastructure.

(2) An identification and assessment of potential security threats and vulnerabilities to the infrastructure, equipment, systems, software, and virtually defined networks that support 5th and future generations wireless communications systems and infrastructure. The assessment shall include a comprehensive evaluation of the full range of threats to, and unique security challenges posed by, 5th and future generations wireless communications systems and infrastructure, as well as steps that public and private sector entities can take to mitigate those threats.

(3) An identification and assessment of the global competitiveness and vulnerabilities of United States manufacturers and suppliers of 5th and future generations wireless communications equipment.

(4) A list of available domestic suppliers of 5th and future generations wireless communications equipment and other suppliers in countries that are mutual defense allies or strategic partners of the United States and a strategy to assess their ability to produce and supply 5th generation and future generations wireless communications systems and infrastructure.

(5) Identification of trusted supplier entities from both inside and outside the United States that are capable of producing and supplying to private industry infrastructure and systems equipment supporting 5th and future generations wireless communications systems and infrastructure.

(6) Identification of where security gaps exist in the United States domestic or mutual defense treaty allies and strategic partners communications equipment supply chain for 5th and future generations wireless communications systems and infrastructure.

(7) Identification of incentives and policy options to help close or narrow any security gaps identified under paragraph (6) in, and ensure the economic viability of, the United States domestic industrial base, including research and development in critical technologies and workforce development in 5th and future generations wireless communications systems and infrastructure.

(8) Identification of incentives and policy options for leveraging the communications equipment suppliers from mutual defense treaty allies, strategic partners, and other countries to ensure that private industry in the United States has adequate sources for secure, effective, and reliable 5th and future generations wireless communications systems and infrastructure equipment.

(9) A strategy for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share security risk information and findings pertaining to 5th and future generations wireless communications systems and infrastructure equipment and cooperation on mitigating those risks.

(10) A strategy for engagement with private sector communications infrastructure and systems equipment developers to share information and findings on 5th and future generations wireless communications systems and infrastructure equipment standards to secure platforms.

(11) A strategy for engagement with private sector communications infrastructure and systems equipment developers to encourage the maximum participation possible on standards-setting bodies related to such systems and infrastructure equipment standards by public and private sector entities from the United States.

(12) A strategy for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share information and findings on 5th and future generations wireless communications systems and infrastructure equipment standards to promote maximum interoperability, competitiveness, openness, and secure platforms.

(13) A strategy for diplomatic engagement with mutual defense treaty allies, strategic partners, and other countries to share information and findings on 5th and future generations wireless communications infrastructure and systems equipment concerning the standards-setting bodies related to such systems and infrastructure equipment to promote maximum transparency, openness, impartiality, integrity, and neutrality.

(14) A strategy for joint testing environments with mutual defense treaty allies, strategic partners, and other countries to ensure a trusted marketplace for 5th and future generations wireless communications systems and infrastructure equipment.

(15) A strategy for research and development by the Federal Government, in close partnership with trusted supplier entities, mutual defense treaty allies, strategic partners, and other countries to reach and maintain United States leadership in 5th and future generations wireless communications systems and infrastructure security, including the development of an ongoing monitoring capability of 5th and future generations wireless communications systems to identify security vulnerabilities.

(16) Options for identifying and helping to mitigate the security risks of 5th and future generations wireless communications systems and infrastructure that have security flaws or vulnerabilities, or are utilizing equipment sourced from countries of concern, and that have already been put in place within the systems and infrastructure of mutual defense treaty allies, strategic partners, and other countries, when in the security interests of the United States.

(17) Development of a plan that includes a description of the roles and responsibilities of the appropriate executive branch agencies and interagency mechanisms for the Assistant Secretary of Commerce for Communications and Information to act as the executive agent to coordinate implementation of the Strategy, as provided in subsection (g).

(18) An identification of the key diplomatic, development, intelligence, military, and economic resources necessary to implement the Strategy, including specific budgetary requests.

(19) A description of such legislative or administrative action as may be necessary to carry out the Strategy.

(e) LIMITATIONS.—

(1) IN GENERAL.—The Strategy shall not include a recommendation or a proposal to nationalize 5th or future generations wireless communications systems or infrastructure.

(2) FEDERAL AGENCY AUTHORITY.—Nothing in this section shall be construed to limit the authority or ability of a Federal agency to—

(A) conduct cybersecurity incident, threat, or asset response and recovery activities;

(B) obtain or execute warrants or other investigative or intelligence tools; or

(C) provide assistance to a private entity upon request of the entity.

(f) BRIEFING.—

(1) IN GENERAL.—Not later than 14 days after the date on which the Strategy is completed, the Assistant Secretary of Commerce for Communications and Information, and any other Federal officials designated by the President, shall provide to the appropriate committees of Congress a briefing on the implementation of the Strategy.

(2) UNCLASSIFIED SETTING.—The briefing under paragraph (1) shall be held in an unclassified setting to the maximum extent possible.

(g) IMPLEMENTATION.—The Assistant Secretary of Commerce for Communications and Information shall—

(1) act as the executive agent to coordinate implementation of the Strategy; and

(2) keep congressional committees apprised of progress on implementation.

(h) FORM.—The Strategy shall be submitted to the appropriate committees of Congress in unclassified form, but may include a classified annex.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn; that the Cornyn substitute amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 1510) was agreed to.

(Purpose: In the nature of a substitute.)

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 893), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RARE DISEASE DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 529, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 529) designating February 29, 2020, as ''Rare Disease Day''.

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

Mr. MCCONNELL. I know of no further debate on the measure.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 529) was agreed to.

Mr. MCCONNELL. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL ASSISTIVE TECHNOLOGY AWARENESS DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 530, which was submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 530) designating March 4, 2020, as ''National Assistive Technology Awareness Day''.

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

Mr. MCCONNELL. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The resolution (S. Res. 530) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, MARCH 5, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. Thursday, March 5; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of S. 2657.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 11:15 a.m. tomorrow, the Senate proceed to the immediate consideration of H.R. 6074 and the only amendment in order be the Paul amendment No. 1506; further, that 20 minutes of debate prior to noon be under the control of Senator PAUL or his designee; further, that the Senate vote in relation to the Paul amendment at noon tomorrow and, upon disposition of the Paul amendment, the time until 1:45 p.m. tomorrow be equally divided between the two leaders or their designees; that the bill, as amended, if amended, be read a third time, and the Senate vote on passage of the bill, as amended, if amended, with a 60-affirmative vote threshold required for passage; finally, that the last 10 minutes of debate be under the control of Senators LEAHY and SHELBY.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7 p.m., adjourned until Thursday, March 5, 2020, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 2020:

IN THE AIR FORCE

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

To be lieutenant general

LT. GEN. THOMAS A. BUSSIERE

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

To be lieutenant general

LT. GEN. JACQUELINE D. VAN OVOST