members of the National Guard serving on active service in response to the coronavirus (COVID–19) the transitional health benefits provided to members of the reserve components separating from active duty.

At the request of Mr. MANCHIN, the name of the Senator from South Carolina (Mr. ROSEN) was added as a cosponsor of S. 3714, a bill to extend the covered period for loan forgiveness and the rehiring period under the CARES Act, and for other purposes.

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 3727, a bill to provide for cash refunds for canceled airline flights and tickets during the COVID–19 emergency.

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3732, a bill to amend title VI of the Social Security Act to establish a Coronavirus Local Community Stabilization Fund.

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Ms. WARREN), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Ms. BILDGARDEN), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIROKA), and the Senator from Minnesota (Ms. Klobuchar) were added as cosponsors of S. 3749, a bill to protect the privacy of health information during a national health emergency.

At the request of Mr. MENENDEZ, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3811, a bill to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of the Restoration of Essential Conveyance Act, which I introduced today. Representatives TC Carson of North Carolina, D. O’CONOR of Oregon, and B. COHRSTAD of California have introduced companion legislation in the House. This legislation would help California water users and California’s nation-leading agricultural industry comply with a recent State requirement to end the overpumping of groundwater. The stakes are huge: Bringing groundwater into balance will reduce the water supply of the San Joaquin Valley by about 2 million acre-feet per year.

Unless local communities and the State and Federal governments take action, a recent U.C. Berkeley study has projected severe impacts from these water supply losses: 798,000 acres of valuable farmland would receive less water, and over one million acres of land would be lost to agricultural production, nearly one-sixth of the working farmland in an area that produces half the fruit and vegetables grown in the Nation; and $5.9 billion would be lost in annual farm income.

How the bill would help: One of the most cost-effective and efficient ways to restore groundwater balance is to convey floodwaters to farmlands where they can recharge the aquifer. California has the most variable precipitation of any State. When we get massive storms from atmospheric rivers, there is plenty of runoff to recharge aquifers—but only if we can effectively convey the floodwaters throughout the San Joaquin Valley to recharge areas. Here is where the challenge arises. For a variety of reasons, the ground beneath the major canals has dropped by as much as 10 to 20 feet which has caused canals designed to convey floodwaters to buckle and drop in many places. Other parts of the canals have not subsided, so the water gets stuck in the low points.

As a result, these essential canals for conveying floodwaters have lost as much as 60 percent of their conveyance capacity. The bill I am introducing today would provide Federal assistance to help fix these Federal canals. Specifically, the bill would authorize $600 million in Federal funding-cost share for three major projects to repair Federal canals damaged by subsidence to achieve their lost capacity: $200 million for the Friant-Kern Canal, which would move an additional 100,000 acre-feet per year on average; $200 million for the Delta Mendota Canal, which would move an additional 62,000 acre-feet per year on average; and $200 million for California Aqueduct repairs, which would move an additional 205,000 acre-feet per year on average. While parts of the California Aqueduct are State-owned, the majority of the repairs are on its federally owned portion.

The bill would also authorize $200 million in additional funding for the San Joaquin Valley Environmental Restoration Goal of the San Joaquin River settlement. This provision will ensure that the bill helps to restore not only the San Joaquin Valley’s water supply, but also its native salmon runs. I think it is appropriate that we consider legislation that would benefit both our water supply and the environment.

Benefits of the bill: If the Federal Government covers a portion of the cost of restoring these three essential Federal canals for conveying floodwaters, it will give local farmers a fighting chance to bring their groundwater basins into balance without being forced to retire massive amounts of land.

Critically, the ability to deliver floodwaters through restored Federal canals will allow the water districts to invest in their own turnouts, pumps, detention basins and other groundwater recharge projects. The South Valley Water Association, which covers just a small part of the Valley, provided my office with a list of 36 such projects for its area alone.

The Public Policy Institute of California, or PPIC, has determined that groundwater recharge projects are the best option to help the San Joaquin Valley comply with the new state groundwater pumping law. PPIC projects that the Valley can make up 300,000 to 500,000 acre feet of its groundwater deficit through recharge projects.

Job Losses if We Take No Action: A forthcoming study commissioned by the Federation for Water Resources’ “A Blueprint for the San Joaquin Valley” estimates that required reductions in groundwater could cause a loss of up to 42,000 farm and agricultural jobs in the San Joaquin Valley. Another 40,000 jobs or more could be lost statewide each year due to reductions in valley agricultural production, putting the total at approximately 85,000 jobs statewide. Most of these impacts will fall disproportionately on economically disadvantaged communities. These impacts will be significant unless we address them through collaborative planning, policies, infrastructure, recharge, and necessary financial support.

Friant-Kern Canal: Let me now turn to the three critical canals that the bill would authorize assistance to restore. The Friant-Kern Canal is a key feature of the Friant Division of the Federal Central Valley Project on the Eastside of the San Joaquin Valley. For nearly 70 years, the Friant Division has moved 3.7 million acre-feet per year on average to the three major tributaries stable on the Eastside. This provides a sustainable source of water for farms and for thousands of Californians
and more than 50 small, rural, or disadvantaged communities who rely entirely on groundwater for their household water supplies.

But unsustainable groundwater pumping in the valley has reduced the Friant-Kern Aqueduct’s ability to deliver water to all who need it. Land elevation subsidence caused by over-pumping means that not all of the supplies stored at Friant Dam can be conveyed through the canal. In some areas, water can carry only 50 percent of what it is designed to deliver.

In 2017, a very wet year in which we should have been banking as much floodwater as possible, the Friant-Kern Aqueduct did deliver an additional 300,000 acre-feet of water that it would have been able to convey had its capacity not been limited by subsidence. This significant amount of water would have been destined for groundwater recharge efforts in the south San Joaquin Valley, where the impacts of reduced water deliveries, water quality issues and groundwater regulation are expected to be most severe.

California Aqueduct and Delta-Mendota Canal. The California Aqueduct serves more than 27 million people in Southern California and the Silicon Valley and more than 750,000 acres of the Nation’s most productive farmland. But despite its name, much of the California Aqueduct is owned by the Federal Government and serves portions of Silicon Valley, small towns and communities in the northern San Joaquin Valley, and farms from Firebaugh to Kettleman City. The aqueduct represents a successful 70-year partnership between the Federal Government and the State of California.

In recent years, particularly recent drought years, the California Aqueduct has been able to move only 30 percent of its capacity to move water to California’s farms, families, and businesses. California is leading efforts to repair the aqueduct and is working to provide its share of funding, but the Federal Government will also need to pay its fair share. The bill I am introducing today would authorize $200 million toward restoring the California Aqueduct.

The Delta-Mendota Canal stretches southward 117 miles from the C.W. Bill Jones Pumping Plant along the western edge of the San Joaquin Valley, parallel to the California Aqueduct. The Delta-Mendota Canal has lost 15 percent of its conveyance capacity due to subsidence. The bill I am introducing today would authorize $200 million toward restoring its full ability to convey floodwaters to farms needing to recharge their groundwater, and to wildlife refuges for migratory waterfowl.

In conclusion, this bill responds to a potential crisis that very possibly could cause the forced retirement of nearly one-sixth of the working farmland in an area that produces half of America’s fruits and vegetables.

These are Federal canals, and the Federal Government must help give these farmers and communities reliant of the agricultural economy a fighting chance to keep their lands in production.

I hope my colleagues will join me in support of this bill. I yield the floor.

By Mr. RUBIO (for himself, Mr. CARDIN, Ms. COLLINS, Mrs. SHAHEEN, and Mr. DURBIN):

S. 3833. A bill to extend the loan forgiveness period for the paycheck protection program, and for other purposes; read the first time.

Ms. COLLINS. Mr. President, I rise today to introduce, with my colleagues Senator RUBIO, CARDIN, and SHAHEEN, legislation to strengthen the Paycheck Protection Program, which has proven to be such an important lifeline to America’s small businesses and their employees during this pandemic.

Senators RUBIO, CARDIN, SHAHEEN, and I worked together as part of the Small Business Task Force to create this program during the development of the CARES Act 2 months ago.

Since its launch in early April, this program has provided forgivable loans totaling more than $510 billion to approximately 5 million small employers across the country. The overwhelming majority of borrowers are very small employers.

In phase 1 of the program, the average PPP loan size nationally was $266,000. That translates to an average employer size of just 18 employees. As more loans have been approved in phase 2, the average loan size nationally has dropped to $118,000, suggesting an average business size of about 10 employees.

In Maine, the average loan size is even smaller, with borrowers having an estimated 12 employees in phase 1 and just three employees in phase 2. According to the U.S. Census Bureau, nearly two-thirds of small businesses in Maine have benefited from PPP loans, and that is, I am pleased to say, among the highest rates in the Nation.

...
Second, it extends the deadline to apply for a PPP loan from June 30 to December 31 of this year.

Again, this reflects the fact that shutdowns lasted far longer in virtually every State than we anticipated when we were drafting the bill in March.

Third, the bill would allow borrowers to use loan funds to purchase personal protective equipment for employees and would adaptive investments needed to reopen safely.

Adaptive investments could include modifications to a commercial property to comply with the social distancing regulations or guidelines from the CDC. It could mean creating or expanding a drive-through window service, erected physical barriers such as we see at the grocery stores now, those plexiglass barriers or sneeze guards. It could mean installing ventilation systems or as many restaurants have mentioned to me, they would like to add an outside patio for outdoor eating, which would allow them to maintain the same number of customers, which they can’t do now, and the bill by the social distancing guidelines.

The bill would also clarify that the current lender hold-harmless provision relates to all Small Business Administration approved Treasury-designated PPP loans. A lender that in good faith followed Federal guidance related to PPP would not be later held liable if the guidance subsequently changed.

I would like to give a shout-out to our small community banks and credit unions in the State of Maine. They have really stepped up to the plate for this program to serve the small businesses, small employers in our State, for the small nonprofits, and that has made all the difference for the employees of these establishments.

And finally, the bill would clarify that borrowers who have maintained payroll for 8 weeks will not lose loan forgiveness due to the extension of the program.

Now, I would hope that that would be obvious, but we wanted to make sure that we were explicit.

The Paycheck Protection Program is the single most critical stimulus program protecting Main Street America from the economic devastation of the measures taken to control the spread of COVID–19. The bill we are introducing today strengthens the PPP to reflect the evolving nature of this pandemic, the necessity of regulatory actions that have caused a great deal of economic harm but were necessary to prevent the spread of the virus, and I urge all of my colleagues to support this bill.

By Mr. CRUZ:

S. 3835. A bill to prohibit the use of funds for the production of films by United States companies that alter content for screening in the People’s Republic of China, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CRUZ. Mr. President, I rise today to discuss the single most dangerous geopolitical threat that America faces now and through the next century—China.

We are in the midst of a pandemic that has infected 5 million people and has claimed the lives of over 300,000 people worldwide. In the United States alone, the pandemic has infected over 1.5 million people and has claimed over 93,000 lives.

The coronavirus pandemic has shattered the lives of husbands and wives, daughters, sons, granddaughters, grandsons, brothers, sisters, nieces, nephews who have lost loved ones to COVID–19.

It has also shattered the lives of those who have lost their jobs, their livelihoods, because of this disease. Thirty-eight million Americans are now out of work. The unemployment rate is at the highest it has ever been since the Great Depression, and entire industries are collapsing. Just 4 months ago, when the economy was booming, that was unthinkable.

Where did this pandemic start? In China. Whether it began at the Huanan wet market, a barbaric breeding ground for snakes and turtles and puppies and kittens and bats and other wildlife and farm animals are killed and sold, or whether it began due to substandard safety protocols at the Wuhan Institute of Virology, where coronavirus was being conducted and specifically coronavirus from bats, we don’t yet know.

Here is what we do know: Not only did the coronavirus outbreak start in China, the Chinese Communist Government did everything it could to cover up the severity of the outbreak, from lying about the origin of the virus to how it is transmitted, to destroying evidence, to silencing the brave whistleblowers, doctors and scientists and journalists and activists who tried to warn the world and prevent a global pandemic.

It has been reported recently that between January 1 and April 4, the Chinese Government charged 484 people with crimes because of comments they made about the coronavirus pandemic.

In Wuhan, eight doctors who sounded the alarm about coronavirus in December were accused of spreading lies, arrested, and were ordered by documents claiming that they had made false statements that “disturbed the public order.”

In reality, they were telling the truth. They were warning us.

One of those doctors, Dr. Ai Fen, has been missing since late March. Another, Dr. Li Wenliang, has since died from the coronavirus. Dr. Li Wenliang’s wife was pregnant with the couple’s second child when he died.

And it is not just Chinese doctors who are paying the price for telling the truth; journalists and activists who courageously spoke up are disappearing too.

Xu Zhangrun, a Chinese law professor who spoke out about the Chinese Government’s handling of the coronavirus outbreak and criticized Chinese President Xi, has been missing since February.

Chen Qushui, a Chinese lawyer and journalist who went to Wuhan to report on what was happening there, has been missing since February 6. Fang Bin, a Wuhan businessman and journalist who reported on what was happening in Wuhan, went missing for 28 days and then was allowed to reappear in public only after he praised the government’s policy. Ren Zhijing, a real estate tycoon, who had been publicly critical of tracking an X-imprisoning of the coronavirus crisis, has been missing since March 12. And Xu Zhiyong, a civil rights lawyer and a legal scholar who criticized President Xi on social media for his handling of the coronavirus crisis has been on house arrest since February 13.

If the Chinese Government had acted responsibly and sought the advice of public health professionals instead of silencing them, there is every real possibility the coronavirus could have been contained as a regional outbreak. Instead, we are now dealing with a deadly global pandemic.

These brave men and women are just the most targets of a Chinese Communist Government’s relentless attacks on truth-tellers, on freedom fighters, and on religious and ethnic minorities. The Chinese Government is a 1984-style dystopian state, and it has cracked down on rights of Uyghurs and other religious minorities. The Chinese Government is constantly tracking the movements of millions of people using cutting-edge biotechnology and artificial intelligence, and it has put more than a million Uyghurs, right now, into concentration camps.

In 2017, I led a bipartisan resolution in this body condemning the Chinese Communist Party’s persecution of religious minorities, particularly Buddhist Tibetans. Last year, I introduced legislation and urged the Trump administration to blacklist Chinese companies that are aiding the Chinese Government’s persecution of Uighurs.

The administration implemented the recommendations in my legislation, and as a result those companies are now banned from acquiring American goods. That is a step in the right direction.

We have known that China’s surveillance state and censorship practices are a great threat to human rights, but what the pandemic has shown us is that China’s surveillance state and censorship is also a great threat to our national security and to public health. Had those doctors, journalists, and activists who were trying to tell the
truth—desperately trying to warn the world—that they had been allowed to speak, the coronavirus outbreak might have been stopped in its tracks. We may not have had to deal with this devastating pandemic that has claimed the lives and the livelihoods of men and women all over the world.

That is why, today, I am introducing legislation to sanction Chinese officials who helped censor political speech or suppress the dissemination of medical information in China. This legislation would impose visa bans and asset blocks on those who punish or censor Chinese citizens for reporting accurate information about a disease or a pathogen and hopefully will help prevent something like this from ever happening again in China.

We need to be vigilant and to act where we can to thwart the Chinese Government’s attempts to twist the truth, to censor, and to silence within China, but we also need to be vigilant about the Chinese Government’s attempts to censor and silence elsewhere, including in our own Nation.

In the United States, the Chinese Government attempts to spread propaganda by two ways: by leveraging their enormous market access to coerce American companies into self-censorship, especially to Hollywood and sports teams that stand to make billions of dollars in China, and by simply purchasing access to our cultural and educational centers. The Chinese officials have one objective: to shape what Americans know, see, hear, and ultimately think.

China has the world’s second largest film market, second only the United States, and it does around $8 billion in box office revenues per year. The Chinese film market is comprised of Chinese films, but they also make sure to allow a few dozen American films into their market every year. The number is kept low, and the exchange rate for access. American film companies submit their films to China’s censors who often force them to change those films. American companies have learned this fact, and they will often change the films even in advance of submitting.

As a result, they control not just what audiences see in China but also what Americans see. The Chinese Government’s censorship office seeks to edit and censor the movies when they are sent to Taiwan, with Tiananmen Square, with human rights, with democracy, with religion, or with any criticism of communism, particularly the Chinese Communist Party. Recently, the Chinese Government has succeeded in forcing changes to movies such as “Top Gun,” “Star Wars,” “The Matrix,” “The Avatar,” “Dune,” “Avengers,” “Doctor Strange,” “Skyfall,” and even “Red Dawn.”

That is why, today, I am introducing the SCRIPT Act, which would cut off Hollywood studios from the assistance they receive from the U.S. Government if those films censor their films for screening in China. It is common practice for major Hollywood films to contract with the Pentagon to use jets and tanks and to film on bases and aircraft carriers.

The SCRIPT Act should be a wake-up call for Hollywood. Studios would be forced to choose between the assistance from the Federal Government or the money they want from China. The second way the Chinese Government attempts to spread propaganda is by purchasing access to our cultural and educational centers. The Chinese Government spends billions of dollars to shape what the next generation of Americans know and think about China. They have a pervasive presence in our K–12 education and in our colleges and universities, especially through Confucius Institutes and by directly financing departments and centers.

In the National Defense Authorization Act for Fiscal Year 2019, I authored bipartisan legislation prohibiting the Department of Defense from funding universities when the money could go to Confucius Institutes. As a result, over a dozen Confucius Institutes have closed.

We need to stand up and deal directly with the threat China poses. China bears direct responsibility and direct culpability for the over 300,000 people who have died worldwide and for the trillions in economic livelihoods that have been destroyed.

Today, I introduce three pieces of legislation to directly address Chinese censorship and their responsibility for this pandemic, and we, as a body, as a bipartisan body, need to stand and stand strong protecting U.S. national security, protecting the lives of Americans, and ensuring accountability; that the Chinese Communist Party has accountability for their censorship, their hiding of the facts of this pandemic, and the lives that have been lost as a result of their coverup.

By Mr. THUNE (for himself and Ms. HASSAN):

S. 3794. A bill to expedite transportation project delivery, facilitate infrastructure improvement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

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

S. 3794

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Railroad Rehabilitation and Improvement Financing Program”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SECTION 2. RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM.

(a) AMENDMENT TO TITLE 49, UNITED STATES CODE.—Part B of subtitle V of title 49, United States Code, is amended by inserting after chapter 223 the following:

“CHAPTER 224.—RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

“§ 22401. Definitions.

“§ 22402. Direct loans and loan guarantees.

“§ 22403. Administration of direct loans and loan guarantees.

“§ 22404. Employee protection.

“§ 22405. Administrative criteria and standards.

“§ 22406. Funding.”

“22401. Definitions.

“In this chapter:

“(1) COST.—

“(A) IN GENERAL.—The term ‘cost’ means the estimated long-term cost to the Government of a direct loan or loan guarantee, or modification of the direct loan or loan guarantee, calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

“(B) COST OF DIRECT LOANS.—

“(i) IN GENERAL.—The cost of a direct loan shall be the net present value at the time when the direct loan is disbursed, of the following estimated cash flows:

“(I) Loan disbursements.

“(II) Repayments of principal.

“(III) Payments of interest and other payments by or to the Government over the life of the loan.

“(ii) CALCULATION.—Calculation of the cost of a direct loan shall include the effects of changes in loan terms resulting from the exercise by the borrower of an option included in the loan contract.

“(C) COST OF LOAN GUARANTEE.—

“(I) IN GENERAL.—The cost of a loan guarantee shall be the net present value at the time when the guaranteed loan is disbursed, of the following estimated cash flows:

“(I) Proceeds by the Government to cover defaults and delinquencies, interest subsidies, or other payments.

“(II) Payments to the Government, including origination and other fees, penalties, and recoveries.

“(iii) CALCULATION.—Calculation of the cost of a loan guarantee shall include the effects of changes in loan terms resulting from the exercise by the guaranteed lender of an option included in the loan guarantee, or by the borrower of an option included in the guaranteed loan contract.

“(D) COST OF MODIFICATION.—The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows of a direct loan or loan guarantee contract, and the current estimate of the net present value...
of the remaining cash flows under the terms of the contract, as modified.

"(E) Estimation of net present values; discount rate.—In estimating net present values the interest rate shall be the interest rate on marketable Treasury securities of similar maturity to the cash flows of the direct loan or loan guarantee for which the estimate is being made.

"(F) Estimated cost; basis.—When funds are obligated for a direct loan or loan guarantee, the estimated cost shall be based on the cash flows of the obligation, adjusted to incorporate the terms of the loan contract, for the fiscal year in which the funds are obligated.

"(G) Interpretation.—The term ‘current’ has the same meaning given the term in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(b)).

"(3) Direct loan.—

"(A) In general.—The term ‘direct loan’ means a disbursement of funds by the Government to a non-Federal borrower under a contract that requires the repayment of the funds.

"(B) Inclusions.—The term ‘direct loan’ includes the purchase of, or participation in, a loan made by another lender and financing arrangements that defer payment for more than 90 days, including the sale of a Government credit or currency guarantee.

"(C) Exclusion.—The term ‘direct loan’ does not include the acquisition of a federally guaranteed loan in satisfaction of default or other withdrawal accounts in financial institutions.

"(4) Direct loan obligation.—The term ‘direct loan obligation’ means a binding agreement by the Secretary to make a direct loan when specified conditions are fulfilled by the borrower.

"(5) Intermodal.—The term ‘intermodal’ means to the connection between rail service and other modes of transportation, including all parts of facilities at which the connection is made.

"(6) Investment-grade rating.—The term ‘investment-grade rating’ means a rating of BBB minus, Baa3, bbb minus, BBB(low), or higher assigned by a rating agency.

"(7) Loan guarantee.—The term ‘loan guarantee’ means any guarantee, insurance, or other pledge with respect to the payment of all or a part of the principal or interest on any obligation of a non-Federal borrower to a non-Federal lender, but does not include the insurance of deposits, shares, or other withdrawable accounts in financial institutions.

"(8) Loan guarantee commitment.—The term ‘loan guarantee commitment’ means a conditional commitment by the Secretary to guarantee a direct loan if specified conditions are fulfilled by the borrower.

"(9) Loan guarantee committee.—The term ‘loan guarantee committee’ means any committee established by the Secretary to make a loan guarantee when specified conditions are fulfilled by the borrower, the lender, or any other party to the guarantee agreement.

"(10) Master credit agreement.—The term ‘master credit agreement’ means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.

"(11) Modification.—

"(A) In general.—The term ‘modification’ means any Government action that alters the estimate of an outstanding direct loan (or direct loan obligation) or loan guarantee (or loan guarantee commitment), such as a change in collection procedures.

"(12) Operating income payable.—Direct loans and loan guarantees under this section shall not be used for railroad operating expenses.

"(13) Projects.—The Secretary may provide a direct loan or loan guarantee under this section for a project described in paragraph (1)(B) only during the 4-year period beginning December 4, 2015.

"(c) Priority Projects.—In granting applications for direct loans or loan guarantees under this section, the Secretary shall give priority to projects that—

"(1) enhance public safety, including projects for the installation of a positive train control system (as defined in section 20157(i));

"(2) promote economic development;

"(3) enhance the environment;

"(4) enable United States companies to be more competitive in international markets;

"(5) are endorsed by the plans prepared under section 217 of this title or section 135 of the Federal Credit Reform Act of 1990 (2 U.S.C. 900(a));

"(6) improve railroad stations and passenger facilities and increase transit-oriented development.

"(2) Minimum amount for freight railroads.—Of the amount under paragraph (1), not less than $7,000,000,000 shall be available solely for projects primarily benefitting freight railroads other than Class I carriers.

"(3) Proportion of unused amount.—The aggregate unpaid principal amounts of obligations under direct loans and loan guarantees made under this section may not exceed $35,000,000,000 at any time.

"(4) Extent of authority.—The Secretary shall not establish any limit on the proportion of the unused amount authorized under this subsection that may be used for 1 loan or loan guarantee.

"(5) Rates of interest.—

"(A) Direct loans.—Direct loans made under this section shall be not less than $7,000,000,000 shall be available not less than $7,000,000,000 shall be available for projects primarily benefitting freight railroads other than Class I carriers.

"(B) Loan guarantees.—The Secretary shall not make a loan guarantee under this section if the interest rate for the loan exceeds that which the Secretary determines to be reasonable, taking into consideration the prevailing interest rates and customary fees incurred under similar obligations in the private capital market.

"(6) Infrastructure Partners.—

"(A) Authority of Secretary.—

"(1) In general.—In lieu of or in combination with appropriations of budget authority to provide the costs of direct loans and loan guarantees as required under section 506(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 616(b)(1)), including the cost of a modification of a direct loan or loan guarantee, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State government or agency, or public benefit corporation or public authority of a State or local.
government, to fund, in whole or in part, credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.

(1) After determining the aggregate of appropriations of budget authority and credit risk premiums described in this paragraph with respect to a direct loan or loan guarantee shall not be less than the cost of that direct loan or loan guarantee.

(2) CREDIT RISK PREMIUM AMOUNT.—The Secretary shall determine the amount required to fully fund the credit risk premiums under this subsection on the basis of—

(A) the circumstances of the applicant, including the amount of collateral offered, if any;

(B) the proposed schedule of loan disbursements;

(C) historical data on the repayment history of similar borrowers;

(D) consultation with the congressional budget office; and

(E) any other factors the Secretary considers relevant.

(3) CREDITWORTHINESS.—Upon receipt of a proposal from an applicant for assistance under this section the Secretary, except as a basis for determining the amount of the credit risk premium under paragraph (2), in addition to the value of any collateral described in paragraph (5), any of the following:

(A) The net present value of a future stream of local, state, or other dedicated revenues to secure the direct loan or loan guarantee.

(B) Adequate coverage requirements to ensure repayment, on a nonrecourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

(i) tolls;

(ii) user fees, including operating or tenant charges, facility rents, or other fees paid by transportation service providers or operators for access to, or the use of, infrastructure, including rail lines, bridges, tunnels, yards, or stations; and

(iii) payments owing to the obligor under a public-private partnership.

(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, unless the total amount of the direct loan or loan guarantee is less than $100,000,000, in which case the applicant shall have an investment-grade rating from no fewer than 2 rating agencies regarding the direct loan or loan guarantee.

(D) A projection of freight or passenger demand for the project based on regionally developed economic forecasts, including projections of any modal diversion resulting from the project.

(4) PAYMENT OF PREMIUMS.—Credit risk premiums under this subsection shall be paid to the Secretary before the disbursement of loan amounts (and in the case of a modification, before the modification is executed), to the extent that the amounts are not waived by the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications of direct loans and loan guarantees.

(5) COLLATERAL.—

(A) TYPES OF COLLATERAL.—An applicant or infrastructure partner may propose tangible and intangible assets as collateral, exclusive of goodwill. The Secretary, after evaluating each such asset—

(i) shall accept a net liquidation value of collateral; and

(ii) shall consider and may accept—

(I) the market value of collateral; or

(II) in the case of a blanket pledge or assignment of operating assets or a blanket pledge of assets as collateral, the net liquidation value, the market value of assets, or, the market value of the going concern, considering—

(aa) inclusion in the pledge of all the assets necessary for independent operational viability, including tangible assets such as real property, track and structure, equipment and rolling stock, facilities, systems and maintenance facilities and intangible assets such as operating agreements, easements, leases and access rights such as for trackage and haulage; and

(bb) interchange commitments; and

(III) the value of the asset as determined through the cost or market approaches, or the market value of the going concern, with the latter considering discounted cash flows for a period not to exceed the term of the direct loan or loan guarantee.

(B) APPRAISAL STANDARDS.—In evaluating appraisals of collateral under subparagraph (A), the Secretary shall consider—

(i) adherence to the substance and principles of the Uniform Standards of Professional Appraisal Practice, as developed by the Appraisal Standards Board of the Appraisal Foundation;

(ii) performance of the appraisal by licensed or certified appraisers as may be required by the Secretary for the type of asset being appraised; and

(iii) the qualifications of the appraisers to value the type of collateral offered.

(g) PREREQUISITES FOR ASSISTANCE.—The Secretary shall not make a direct loan or loan guarantee under this section unless the Secretary has made a written finding that—

(1) repayment of the obligation is required to be made within a term of the lesser of—

(A) 35 years after the date of substantial completion of the project; or

(B) with regard to rail equipment or facilities with estimated useful lives that exceed the term described in subparagraph (A)—

(ii) 50 years after the date of substantial completion of the project; or

(ii) the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established, subject to adequate determination of long-term risk.

(2) the direct loan or loan guarantee is justified by the present and probable future demand for rail services or intermodal facilities;

(3) the applicant has given reasonable assurances that the facilities or equipment to be acquired, rehabilitated, improved, developed, or established with the proceeds of the obligation will be economically and efficiently utilized;

(4) the obligation can reasonably be repaid, using an appropriate combination of credit risk premiums and collateral offered by the applicant to protect the Federal Government; and

(5) the purposes of the direct loan or loan guarantee are consistent with subsection (b).

(3) CONDITIONS OF ASSISTANCE.—

(A) IN GENERAL.—Before granting assistance under this section, the Secretary shall require the applicant to agree to such terms and conditions as are sufficient, in the judgment of the Secretary, to ensure that, as long as any principal or interest is due and payable on the obligation, the applicant, and any railroad or railroad partner for whose benefit the assistance is intended—

(A) will not use any funds or assets from railroad construction work financed under an agreement made under section 24308(a); and

(B) will, consistent with its capital requirements, maintain its capital program, equipment, facilities, and operations on a continuing basis; and

(C) will not make any discretionary dividend payments that unreasonably conflict with the purposes stated in subsection (b).

(B) COLLABORATIVE AND REQUEST FOR ASSISTANCE FROM ANOTHER SOURCE NOT REQUIRED.—

(1) IN GENERAL.—The Secretary shall not require an applicant for a direct loan or loan guarantee under this section to provide collateral.

(2) VALUATION.—Any collateral provided on behalf of the applicant shall be valued as a going concern after giving effect to the present value of improvements contemplated by the completion and operation of the project, if applicable.

(B) REQUEST FOR ASSISTANCE FROM ANOTHER SOURCE.—The Secretary shall not require an applicant for a direct loan or loan guarantee under this section to provide any collateral.

(3) REQUIRED COMPLIANCE.—The Secretary shall require each recipient of a direct loan or loan guarantee under this section to comply with—

(A) the standards of section 24312, as in effect on September 1, 2002, with respect to the project in the same manner that Amtrak is required to comply with the standards for construction work financed under an agreement made under section 24308(a); and

(B) the protective arrangements established under section 22404, with respect to employees affected by actions taken in connection with the project to be financed by the direct loan or loan guarantee.

(D) MATCHING FUNDS.—The Secretary shall require each recipient of a direct loan or loan guarantee under this section, for a project described in subsection (b)(1)(E), to provide a non-Federal match of not less than 25 percent of the total amount expended by the recipient for the project.

(1) APPLICATION PROCESSING PROVISIONS.

(A) APPLICATION STATUS NOTICES.—Not later than 30 days after the date on which the Secretary receives an application under this section, or, for a project described in subsection (b)(1)(E), the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

(B) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

(i) provide the applicant with a description of all of the specific information or material that is needed to complete the application, including any information required by any recipient financiers and

(ii) allow the applicant to resubmit the application with the information and material described under subparagraph (A) to complete the application.

(3) APPLICATION APPROVALS AND DISAPPROVALS—

(A) IN GENERAL.—Not later than 45 days after the date on which the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable completion of construction work with the funds made available under paragraph (A), the Office of Management and Budget shall take any action required with

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respect to the application within that 60-day period.

(4) **STREAMLINED APPLICATION REVIEW PROCESS.**

(A) **IN GENERAL.**—Consistent with section 116, and not later than 180 days after date of the enactment of the Railroad Rehabilitation and Financing Innovation Act, the Secretary shall make available an expedited application process or processes at the request of applicants seeking loans or loan guarantees;

(B) **CRITERIA.**—Applicants seeking loans and loan guarantees issued under this sub-paragraph shall—

(i) provide a total loan or loan guarantee value not exceeding $100,000,000;

(ii) meet eligible project purposes included in subparagraphs (A)(i), (A)(ii), and (B) of subsection (b)(1) and

(iii) meet other criteria considered appropriate by the Secretary, in consultation with the Department of Transportation Council on Credit and Finance.

(C) **EXPEDITED CREDIT REVIEW.**—The total time between the submission of a draft application and the approval or disapproval of a loan guarantee for an applicant under this paragraph shall not exceed 90 days. If an application review conducted under this paragraph exceeds 90 days, the Secretary shall—

(i) provide written notice to the applicant, including a justification for the delay and updated estimate of the time needed for approval or disapproval, and

(ii) publish the notice on the dashboard described in paragraph (5).

(D) **DASHBOARD.**—The Secretary shall post, on the Department of Transportation’s internet website, a monthly report that includes, for each application—

(A) the applicant type;

(B) the location of the project;

(C) a brief description of the project, including its purpose; and

(D) the requested direct loan or loan guarantee amount;

(E) the date on which the Secretary provided application status notice under paragraph (1);

(F) the date on which the Secretary provided notice of approval or disapproval under paragraph (3); and

(G) whether the project utilized the expedited application process under paragraph (4).

(5) **REGULAR CREDITWORTHINESS REVIEW STATUS REPORTS.**—

(A) **IN GENERAL.**—The Secretary shall provide to the applicant a regular report containing information related to the application for a loan or loan guarantee, including—

(i) a summary of the proposed transaction, including—

(a) the total value of the proposed loan or loan guarantee;

(b) the name of the applicant or applicants submitting an application;

(c) the proposed capital structure of the project to which the loan or loan guarantee would be applied, including the proposed Federal and non-Federal shares of the total project cost;

(d) the activity of type to receive credit assistance, including whether the project—

(aa) is new construction or rehabilitation of existing rail equipment or facilities;

(bb) is refinancing an existing loan or loan guarantee; and

(v) if a deferred payment is proposed, the length of such deferral;

(vi) the credit rating or ratings provided for the applicant;

(vii) if other credit instruments are involved in the proposed subordinate credit relationship and a description of such other credit instruments;

(viii) a schedule for the readiness of proposed investments for financing;

(ix) a description of any Federal permits required, including under the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and any waivers under section 322(c) of title 49, United States Code (commonly referred to as the ‘‘Buy American Act’’); and

(x) other information described in paragraph (3); and

(ii) with respect to the application in the pre-application review and selection process;

(iii) the status of the application; and

(iv) a description of the key rating factors used by the Secretary to determine credit risk, including—

(1) the qualitative and quantitative factors used to determine risk for the proposed application;

(2) an adjectival risk rating for each identified factor, ranked as either low, moderate, or high; and

(3) a nonstatistical estimate of the credit risk premium, which may be in the form of—

(A) a range, based on the assessment of risk factors described in clause (iv); and

(B) a justification for why the estimate of the credit risk premium cannot be determined based on available information; and

(4) the status of the proposed loan or loan guarantee amount, including its purpose;

(B) **EXCEPTION.**—The report required under this paragraph shall not be applied to applications processed using the expedited credit review process under paragraph (5)(B).

(6) **REPAYMENT SCHEDULES.**—

(1) **IN GENERAL.**—The Secretary shall establish a repayment schedule requiring payments to commence not later than 5 years after the date of substantial completion.

(2) **ACCRUAL OF INTEREST.**—A payment deferred under subparagraph (A) shall accrue as of the date of disbursement, and shall be amortized over the remaining term of the loan, beginning at the time the payments begin.

(3) **DEFERRED PAYMENTS.**—

(A) **IN GENERAL.**—If, at any time the date of substantial completion, the obligor is unable to pay the scheduled loan repayments of principal and interest on a direct loan provided under this section, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate amount of 1 year over the duration of the obligation, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

(B) **INTEREST.**—A payment deferred under subparagraph (A) shall—

(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the loan.

(4) **PREPAYMENTS.**—

(A) **USE OF EXCESS REVENUES.**—With respect to a direct loan provided by the Secretary under this section, any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

(B) **USE OF PROCEEDS OF REPAYMENT.**—The direct loan may be prepaid at any time without penalty under any agreement securing the direct loan from non-Federal funding sources.

(7) **SALE OF DIRECT LOANS.**

(A) **IN GENERAL.**—Subject to paragraph (2) and in addition as provided in the master credit agreement if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

(B) **CONSENT OF OBLIGOR.**—In making a sale or reoffering under paragraph (1), the Secretary shall not change the original terms and conditions of the secured loan without the prior written consent of the obligor.

(C) **NONSUBORDINATION.**—Except as provided in paragraph (2), any direct loan provided by the Secretary under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

(D) **PREEXISTING INDENTURES.**—

(A) **IN GENERAL.**—The Secretary may waive the requirement of the non-subordination requirement under this paragraph if the Secretary determines that the limitations would be in the financial interest of the Federal Government.

(m) **MASTER CREDIT AGREEMENTS.**—

(A) **IN GENERAL.**—Subject to paragraph (2) and subsection (d), the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, and applicable under this chapter, for the projects subject to other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

(B) **CONDITIONS.**—Each master credit agreement shall—

(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

(C) provide for the obligation of funded—

(i) the direct loans or loan guarantees contingent on the meeting of all applicable requirements and after all requirements have been met, for the projects subject to the master credit agreement; and

(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in the disbursement issuance of each of the direct loans or loan guarantees or in the release of the master credit agreement.

**§ 22403. Administration of direct loans and loan guarantees**

(A) **APPLICATION.**—
"(1) In General.—The Secretary shall prescribe the form and contents required of applications for assistance under section 22402, to enable the Secretary to determine the eligibility of the applicant's proposal, and shall establish terms and conditions for direct loans and loan guarantees made under that section, including a program guide, a standard form of loan application, and any other documentation that may be necessary.

"(2) Documentation.—An applicant meeting the size standard for small business concerns established under section 3(a)(2) of the Small Business Act (15 U.S.C. 632(a)(2)) may provide unaudited financial statements as documentation of historical financial information if such statements are accompanied by the applicant's tax returns and any other documentation of historical financial information if such statements are accompanied by the Internal Revenue Service tax verification for the corresponding years.

"(b) Full Faith and Credit.—All guarantees entered into by the Secretary under section 22402 shall constitute general obligations of the United States of America and shall be backed by the full faith and credit of the United States of America.

"(c) Assignment of Loan Guarantees.—The holder of a loan guarantee made under section 22402 shall, for the benefit of any party other than the Secretary, be entitled to sell a loan guarantee commitment, the holder of the obligation, or the holder's agent, to any other party, including the original lender or any other party to the loan, and any railroad or railroad property, for fair market value, to the Secretary in the event of a default on a direct loan made under section 22402, and to secure any other appropriate remedies.

"(d) Complain.—The Secretary shall be conclusive evidence that the application is fair, or that the application is made in good faith, or that the application is not fraudulent, or that the application is not for the benefit of any party other than the Secretary, or that the application is not for the benefit of any party other than the Secretary, or that any other party to the loan, or any railroad or railroad property, for fair market value, to the Secretary in the event of a default on a direct loan made under section 22402, and to secure any other appropriate remedies.

"(e) Compliance.—The Secretary may enforce compliance by an applicant, any other party to the loan, and any railroad or railroad property, for fair market value, to the Secretary in the event of a default on a direct loan made under section 22402, and to secure any other appropriate remedies.

"(f) Commercial Validity.—For purposes of claims by any party other than the Secretary, a loan guarantee or loan guarantee commitment shall be conclusive evidence that the underlying obligation is in compliance with the provisions of this chapter, and that the obligation has been approved and is legal as to principal, interest, and other terms.

"(g) Default.—

"(1) In General.—The Secretary shall prescribe regulations setting forth procedures for the event of default on a loan made or guaranteed under section 22402.

"(2) Loan Guarantees.—The Secretary shall ensure that each loan guarantee made under section 22402 contains terms and conditions that provide that—

"(A) if a payment of principal or interest under the loan is in default for more than 30 days, the Secretary shall pay to the holder of the obligation, or the holder's agent, the amount of unpaid guaranteed interest; and

"(B) if the default has continued for more than 90 days, the Secretary shall pay to the holder of the obligation, or the holder's agent, 90 percent of the unpaid guaranteed interest.

"(h) Rights of the Secretary.—

"(1) Subrogation.—If the Secretary makes payment to a holder, or a holder's agent, under section 22402, the Secretary shall be subrogated to all of the rights of the holder with respect to the obligor under the loan.

"(2) Disposition of Property.—The Secretary may complete, recondition, recontract, renovate, maintain, and operate, charter, rent, sell, or otherwise dispose of any property or other interests obtained pursuant to this section. The Secretary shall not be subject to any Federal or State regulatory requirements when carrying out this paragraph.

"(i) Action Against Obligor.—

"(1) In General.—The Secretary may bring a civil action in an appropriate Federal court in the District of Columbia in the event of a default on a direct loan made under section 22402 or in the name of the United States or of the holder of the obligation, in the event of a default on a loan guaranteed under section 22402.

"(2) Records and Evidence.—The holder of a guarantee shall make available to the Secretary all records and evidence necessary to prosecute the civil action.

"(j) Property as Satisfaction of Sums Owed.—The Secretary may accept property in full or partial satisfaction of any sums owed as a result of a default.

"(k) Excess Amount.—

"(A) Payment to Obligor.—If the Secretary receives funds or awards or any other disposition of the property described in paragraph (3), an excess amount described in subparagraph (B), the Secretary shall pay to the obligor the excess amount.

"(B) Amount.—An excess amount under this subparagraph is an amount the exceeds the aggregate of—

"(i) the amount paid to the holder of a guarantee under subsection (g); and

"(ii) any other cost to the United States of remedying the default.

"(l) Breach of Conditions.—The Attorney General shall commence a civil action in an appropriate Federal court to ensure any activity that the Secretary finds is in violation of or that any other condition that was agreed to, and to secure any other appropriate relief.

"(m) Attachment.—No attachment or execution may be issued against the Secretary, or any property in the control of the Secretary, prior to the entry of final judgment to that effect in any Federal, State, or other court.

"(n) Charges and Loan Servicing.—

"(1) Purposes.—The Secretary may collect from each applicant, obligor, or loan party a reasonable charge for—

"(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which a direct loan or loan guarantee is sought, and for making necessary determinations and findings; and

"(B) to cost of award management and project management costs.

"(2) Service of Charges.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

"(2) Servicer.—

"(A) In General.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this chapter.

"(B) Duties.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in servicing a direct loan or loan guarantee under this chapter.

"(C) Fees.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

"(3) National Surface Transportation and Innovative Finance Bureau Account.—Amounts collected under this subsection shall be deposited into the name of the National Surface Transportation and Innovative Finance Bureau Account, and

"(4) Fees and Charges.—Except as provided in this chapter, the Secretary may not assess fees, including user fees, or charges in connection with a direct loan or loan guarantee provided under section 22402.

"§ 22404. Employee Protection

"(1) In General.—

"(a) Fair and Equitable Arrangements.—Fair and equitable arrangements shall be provided, in accordance with this section, to protect the interests of any employee who may be affected by actions taken pursuant to authorizations or approval obtained under this chapter.

"(2) Arrangements by Agreements.—The arrangements under paragraph (1) shall be determined by the execution of an agreement between the representatives of the railroads and the representatives of their employees not later than July 4, 1976.

"(3) Prescribed Arrangements.—In the absence of an executed agreement under paragraph (2), the Secretary of Labor shall prescribe the applicable protective arrangements not later than July 4, 1976.

"(b) Terms.—

"(1) Applicability to Existing Employees.—The arrangements required under subsection (a) shall apply to each employee who has an employment relationship with a railroad on the date on which the railroad first applies for financial assistance under this chapter.

"(2) Inclusions.—Such arrangements shall include such provisions as may be necessary...
The Secretary shall publish in the Federal Register and post on the Department of Transportation website the substantive criteria and standards by which applications for the assistance are approved, including notice requirements.

The arrangements shall include such provisions as may be necessary—

(A) for the preservation or compensation (including subsequent general wage increases, vacation allowances, and monthly compensation guarantees), rights, privileges, and benefits (including fringe benefits such as pensions, hospitalization, and vacations, under the same conditions and so long as the benefits continue to be accorded to other employees of the employing railroad in active service or on furlough, as the case may be) to the employees under existing collective-bargaining agreements or otherwise;

(B) to provide for final and binding arbitration upon request that cannot be settled by the parties with respect to the interpretation, application, or enforcement of the provisions of the protective arrangements;

(C) to provide that an employee who is unable to secure employment by the exercise of the employee’s seniority rights, as a result of actions taken with financial assistance obtained under this chapter, shall be offered reassignment and, where necessary, retraining to fill a position comparable to the position held at the time of the adverse effect and for which the employee is, or by training and retraining can become, physically and mentally qualified, so long as the offer is not in contravention of collective bargaining agreements or plans relating to the provisos in this paragraph; and

(D) to provide that the protection afforded pursuant to this section shall not be applicable to employees benefited solely as a result of the work that is financed by funds provided pursuant to this chapter.

(c) Subcontracting.—The arrangements that are to be negotiated by the parties or prescribed by the Secretary of Labor, pursuant to subsections (a) and (b), shall include provisions regulating subcontracting by the railroads of work that is financed by funds provided pursuant to this chapter.

§22406. Funding

(a) Authorization of Appropriations.—

(1) In general.—There are authorized to be appropriated out of the General Fund for credit assistance purposes and loan guarantees under section 22404 of title 49, United States Code,

(A) $30,000,000 for fiscal year 2021;

(B) $31,000,000 for fiscal year 2022;

(C) $32,000,000 for fiscal year 2023;

(D) $33,000,000 for fiscal year 2024; and

(E) $34,000,000 for fiscal year 2025.

(2) Availability.—Amounts appropriated pursuant to section 22404(b) shall remain available until expended.

(b) Use of Funds.—

(1) In general.—Except as provided in paragraph (2), amounts appropriated pursuant to subsection (a) that remain available after the set aside described in paragraph (2) shall be set aside for freight railroads other than Class I carriers and passenger railroads.

(2) Short line set-aside.—In each fiscal year, not less than 50 percent of the amounts appropriated pursuant to subsection (a) shall be made available for the Secretary for use in lieu of charges collected under section 22404(f). The Secretary shall ensure adequate provision of the funds necessary to the Secretary for use in lieu of charges collected under section 22404(f), in the manner and in the amount prescribed in paragraph (2).

§22405. Substantive criteria and standards

The Secretary shall publish in the Federal Register and post on the Department of Transportation website the substantive criteria and standards by which applications for the assistance are approved, including notice requirements.

The agreements shall be executed prior to implementation of work funded from financial assistance under this chapter.

(1) In general.—If an agreement described in subsection (a)(2) is not reached within 30 days after the date on which an application for the assistance is approved, either party to the dispute may submit the issue for final and binding arbitration.

(2) Procedure.—The arbitration decision—

(I) shall not modify the protection afforded in the protective arrangements established pursuant to this section;

(II) shall be final and binding on the parties to the arbitration; and

(III) shall become a part of the agreement.

(3) Other inclusion.—The arrangements shall also include such provisions as may be necessary—

(A) for the preservation or compensation (including subsequent general wage increases, vacation allowances, and monthly compensation guarantees), rights, privileges, and benefits (including fringe benefits such as pensions, hospitalization, and vacations, under the same conditions and so long as the benefits continue to be accorded to other employees of the employing railroad in active service or on furlough, as the case may be) to the employees under existing collective-bargaining agreements or otherwise;

(B) to provide for final and binding arbitration upon request that cannot be settled by the parties with respect to the interpretation, application, or enforcement of the provisions of the protective arrangements;

(C) to provide that an employee who is unable to secure employment by the exercise of the employee’s seniority rights, as a result of actions taken with financial assistance obtained under this chapter, shall be offered reassignment and, where necessary, retraining to fill a position comparable to the position held at the time of the adverse effect and for which the employee is, or by training and retraining can become, physically and mentally qualified, so long as the offer is not in contravention of collective bargaining agreements or plans relating to the provisos in this paragraph; and

(D) to provide that the protection afforded pursuant to this section shall not be applicable to employees benefited solely as a result of the work that is financed by funds provided pursuant to this chapter.

(2) The Secretary shall ensure adequate procedures are in place to ensure the filing of complete applications within 30 days of the publication.
Schedule of Laws Repealed—Continued

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By Mr. SCHUMER (for himself and Mr. young):
S. 3832. A bill to establish a new Directorate for Technology in the redesignated National Science and Technology Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, and innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 3832

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Endless Frontier Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) For over 70 years, the United States has been the unequivocal global leader in scientific and technological innovation, and as a result the people of the United States have benefitted through good-paying jobs, economic prosperity, and a higher quality of life. Today, however, that leadership position is being eroded and challenged by foreign competitors, some of whom are stealing intellectual property and trade secrets of the United States and aggressively investing in fundamental research and commercialization to dominate the key technology fields of the future. While the United States once led the world in the share of our economy invested in research, our Nation now ranks 9th globally in total research and development and 12th in publicly financed research and development.

(2) Without a significant increase in investment in research, education, technology transfer, and the core strengths of the United States innovation ecosystem, it is only a matter of time before the global competitors of the United States overtake the United States in terms of technological primacy. The country that wins in key technologies—such as artificial intelligence, quantum computing, advanced communications, and advanced manufacturing—will be the superpower of the future.

(3) The Federal Government must catalyze United States innovation by boosting fundamental research investments focused on discovering, creating, commercializing, and producing new technologies to ensure the leadership of the United States in the industries of the future.

(4) The distribution of innovation jobs and investment in the United States has become largely concentrated in just a few locations, while much of the Nation has been left out of gaining the innovation sector employment growth in the last 15 years was generated in just 5 major cities. The Federal Government must address this imbalance in opportunity by partnering with the private sector to build new technology hubs across the country, spreading innovation sector jobs more broadly, and tapping the talent and potential of the entire Nation to ensure the United States leads the industries of the future.

(5) Since its inception, the National Science Foundation has carried out vital work supporting basic research and people to create knowledge that is a primary driver of the economy of the United States and enhances the Nation’s security.

SEC. 3. NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION.

(a) REDENomination OF NATIONAL SCIENCE FOUNDATION AS NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION.—

(1) In general.—Section 2 of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861) is amended—

(A) in the section heading, by inserting “and Technology” after “Science”;

(B) by striking “the National Science Foundation” and inserting “the National Science and Technology Foundation”.

(2) REFERENCES.—Any reference in any law, rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act to the National Science Foundation shall be considered to refer and apply to the National Science and Technology Foundation.

(b) ESTABLISHMENT OF DEPUTY DIRECTOR FOR TECHNOLOGY.—Section 6 of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1864a) is amended—

(1) in the section heading, by striking “DEPUTY DIRECTOR” and inserting “DEPUTY DIRECTORS”;

(2) in the first sentence—

(A) by striking “a Deputy Director” and inserting “2 Deputy Directors”;

(B) by inserting “and in accordance with the expedited procedures established under S. Res. 116 (112th Congress) after the Senate’’;

(3) in the third sentence, by striking “The Deputy Director shall receive” and inserting “Each Deputy Director shall receive”;

(4) by inserting after the third sentence the following: “The Deputy Director for Technology shall oversee, and perform duties relating to, the Directorate for Technology of the Foundation, as established under section 8A, and the Deputy Director for Science shall oversee, and perform duties relating to, those other activities and directorates supported by the Foundation”;

(5) in the last sentence, by striking “The Deputy Director shall act” and inserting “The Deputy Director for Science shall act”.

(c) ESTABLISHMENT OF DIRECTORATE FOR TECHNOLOGY.—The Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) is amended—

(1) in section 8 (42 U.S.C. 1866), by inserting at the end the following: “Such divisions shall include the Directorate for Technology established under section 8A’’; and

(2) by inserting after section 8 the following:

“SEC. 8A. DIRECTORATE FOR TECHNOLOGY.

“(a) DEFINITIONS.—In this section:
“(1) DEPUTY DIRECTOR.—The term ‘Deputy Director’ means the Deputy Director for Technology.

“(2) DESIGNATED COUNTRY.—The term ‘designated country’ means a country that has been approved and designated in writing by the President for purposes of this section, after providing—

“(A) not less than 30 days of advance notification and explanation to the relevant congressional committees before the designation; and

“(B) in-person briefings to such committees, if requested during the 30-day advance notification period described in subparagraph (A).

“(3) DIRECTOR.—The term ‘Director’ means the Director for Technology established under subsection (b).

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

“(5) KEY TECHNOLOGY FOCUS AREAS.—The term ‘key technology focus areas’ means the areas included on the most recent list under subsection (c)(2).

“(6) RELEVANT CONGRESSIONAL COMMITTEES.—The term ‘relevant congressional committees’ means—

“(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

“(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Appropriations, the Committee on Foreign Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Endless Frontier Act, the Director shall establish in the Foundation a Directorate for Technology. The Directorate shall carry out the duties and responsibilities described in this section, in order to further the following goals:

“(A) Strengthening the leadership of the United States in critical technologies through fundamental research in the key technology focus areas.

“(B) Boosting the competitiveness of the United States in the key technology focus areas by improving education in the key technology focus areas and attracting more students to pursue careers.

“(C) Consistent with the operations of the Foundation, fostering the economic and societal impact of federally funded research and development through an accelerated translation of fundamental advances in the key technology focus areas into processes and products that can help achieve national goals related to economic competitiveness, domestic manufacturing, national security, shared prosperity, energy and the environment, health, education and workforce development, and transportation.

“(2) DEPUTY DIRECTOR.—The Directorate shall be headed by the Deputy Director.

“(3) ORGANIZATION AND ADMINISTRATIVE MATTERS.—

“(I) HIRING AUTHORITY.—

“(I) EXPERTS IN SCIENCE AND ENGINEERING.—The Director shall have the authority to carry out a program of personnel management authority for the Directorate in the same manner, and subject to the same requirements, as the program of personnel management authority authorized for the Director of the Defense Advanced Research Projects Agency under section 1509h of title 10, United States Code, for the Defense Advanced Research Projects Agency.

“(II) HIGHLY QUALIFIED EXPERTS IN NEEDED OCCUPATIONS.—In addition to the authority provided in subparagraph (I), the Director shall have the authority to carry out a program of personnel management authority for the Directorate in the same manner, and subject to the same requirements as the program to attract highly qualified experts carried out by the Secretary of Defense under section 9903 of title 5, United States Code.

“(III) APPOINTING AUTHORITY.—To the extent needed to carry out the duties in paragraph (1), the Director shall utilize hiring authorities under section 3372 of title 5, United States Code, to staff the Directorate, with employees from other Federal agencies, State and local governments, Indian tribes and tribal organizations, institutions of higher education, and other organizations, as described in this section, in the same manner and subject to the same conditions, that apply to such individuals utilized to accomplish other missions of the Foundation.

“(B) PROGRAM MANAGERS.—The employees of the Directorate may include program managers for the key technology focus areas, who shall supervise employees who manage programs supported by the Directorate.

“(C) SELECTION OF RECIPIENTS.—Recipients of support under the programs and activities of the Directorate shall be selected by program managers or other employees of the Directorate. The Directorate may use a peer review process to inform the decisions of program managers or other employees.

“(D) ASSISTANT DIRECTORS.—The Director may appoint 1 or more Assistant Directors for the Directorate as the Director determines necessary, in the same manner as other Assistant Directors of the Foundation are appointed.

“(d) REPORT.—Not later than 120 days after the date of enactment of the Endless Frontier Act, the Director shall prepare and submit a report to the relevant congressional committees regarding the establishment of the Directorate.

“(e) DUTIES AND FUNCTIONS OF THE DIRECTOR.—

“(1) DEVELOPMENT OF TECHNOLOGY FOCUS OF THE DIRECTOR.—The Director, acting through the Deputy Director, shall—

“(A) advance innovation in the key technology focus areas through fundamental research and other activities described in this section; and

“(B) develop and implement strategies to ensure that the activities of the Directorate are directed toward the key technology focus areas.

“(2) REVIEW OF KEY TECHNOLOGY FOCUS AREAS AND SUBSEQUENT LIST.—

“(A) ADDING OR DELETING KEY TECHNOLOGY FOCUS AREAS.—Beginning on the date that is 4 years after the date of enactment of the Endless Frontier Act, and every 4 years thereafter, the Director, acting through the Deputy Director, may—

“(I) add or delete the key technology focus areas if the competitive threats to the United States have shifted (whether because the United States or other nations have advanced or fallen behind in a technological area), subject to clause (ii).

“(II) LIMIT ON KEY TECHNOLOGY FOCUS AREAS.—Not more than 10 key technology focus areas shall be included on the list of key technology focus areas at any time.

“(III) UPDATING FOCUS AREAS AND DISTRIBUTION.—Upon the completion of each review under this subparagraph, the Director shall make the list of key technology focus areas readily available and publish the list in the Federal Register, even if no changes have been made to the prior list.

“(3) ACTIVITIES.—

“(A) IN GENERAL.—In carrying out the duties and functions of the Directorate, the Director, acting through the Deputy Director, may—

“(I) award grants, cooperative agreements, and contracts to—

“(i) individual institutions of higher education for work at centers or by individual researchers;

“(II) not-for-profit entities; and

“(III) consortia that—

“(aa) shall include and be led by an institution of higher education, and may include 1 or more additional institutions of higher education;

“(bb) may include 1 or more entities described in subclause (I) or (II), and if determined appropriate by the Director, for-profit entities, including small businesses; and

“(cc) may include 1 or more entities described in subclause (I) or (II) from treaty allies and security partners of the United States;

“(II) provide funds to other divisions of the Foundation, including—

“(i) to the other directorates of the Foundation to pursue basic questions about natural and physical phenomena that could enable advances in the key technology focus areas;

“(II) to the Directorate for Social, Behavioral, and Economic Sciences to study questions that could affect the operation, deployment, or the social and ethical consequences of technologies in the key technology focus areas; and

“(III) to the Directorate for Education and Human Resources to further the creation of a domestic workforce capable of advancing the key technology focus areas;

“(III) provide funds to the Federal research agencies, including the National Institute of Standards and Technology, for intramural or extramural work in the key technology focus areas;

“(IV) make awards under the SBIR and STTR programs (as defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)) in the same manner as the programs are made by the Director of the Foundation;
“(v) administer prize challenges under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) in the key technology focus areas, in order to expand the directorate’s partnerships beyond direct research funding; and
“(vi) enter into and perform such contracts, including cooperative research and development agreements and grants and cooperative agreements or other transactions, as may be necessary in the conduct of the work of the directorate and on such terms and conditions as the deputy director considers appropriate, in furtherance of the purposes of this Act.

“(B) REPORTS.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the director shall prepare and submit to the relevant congressional committees a spending plan for the next 5 years for each of the activities described in subparagraph (A), including—
“(i) a plan to seek out additional investments from—
“(I) certain designated countries; and
“(II) if appropriate, private sector entities; and
“(ii) the planned activities of the directorate to secure federally funded science and technology funding to section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

“(C) ANNUAL BRIEFING.—Each year, the director shall formally request a briefing from the director of the Federal Bureau of Investigation and the director of the National Counterintelligence and Security Center regarding their efforts to preserve the United States’ advantages generated by the activity of the directorate.

“(4) INTRA AGENCY COOPERATION.—In carrying out this section, the director and other Federal research agencies shall work cooperatively with each other to further the goals of this section in the key technology focus areas. Each year, the director shall prepare and submit a report to Congress, and shall simultaneously submit the report to the director of the Office of Science and Technology Policy, describing the intra-agency cooperation that occurred during the preceding year pursuant to this paragraph, including—
“(A) any funds provided under paragraph (3)(A)(ii) to other divisions of the foundation; and
“(B) any funds provided under paragraph (3)(A)(iii) to other Federal research agencies.

“(5) PROVIDING SCHOLARSHIPS, FELLOWSHIPS, AND OTHER STUDENT SUPPORT.—
“(A) The director, acting through the directorate, shall fund undergraduate scholarships, graduate fellowships and traineeships, and postdoctoral student awards in the key technology focus areas.

“(B) IMPLEMENTATION.—The director may carry out subparagraph (A) by providing funds—
“(i) to the directorate for education and human resources of the foundation for—
“(I) awards directly to students; and
“(II) grants or cooperative agreements to institutions of higher education, including those institutions involved in operating university technology centers established under paragraph (6); and
“(ii) to programs in Federal research agencies that have experience awarding such scholarships, fellowships, traineeships, or postdoctoral awards.

“(C) SUPPLEMENT NOT SUPPLANT.—The director shall ensure that funds made available under this paragraph shall be used to create additional support for postsecondary students, faculty, and for the conducts of interdisciplinary projects, and not to replace funding for any other available support.

“(6) UNIVERSITY TECHNOLOGY CENTERS.—

“(A) IN GENERAL.—From amounts made available to the directorate, the director shall, through a competitive application and selection process, award grants or contracts to institutions of higher education or consortia described in paragraph (3)(A)(i)(III) to establish university technology centers.

“(B) USE OF FUNDS.—
“(i) IN GENERAL.—A center established under a grant or cooperative agreement under subparagraph (A) shall use support provided under such subparagraph—
“(aa) to carry out fundamental research to advance innovation in the key technology focus areas;
“(bb) for other activities or costs necessary to accomplish the purposes of this Act.

“(ii) SUPPORT OF REGIONAL TECHNOLOGY HUBS.—Each center established under subparagraph (A) may support and participate in, as appropriate, the activities of any regional technology hub designated under section 27(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722(d)).

“(C) REQUIREMENTS.—The director shall ensure that any institution of higher education that receives a grant or cooperative agreement under subparagraph (A) has demonstrated an ability to advance the goals described in subsection (b)(1).

“(7) MOVING TECHNOLOGY FROM LABORATORY TO MARKET.—

“(A) PROGRAM AUTHORIZED.—The director shall establish a program in the directorate to award grants, on a competitive basis, to institutions of higher education or consortia described in paragraph (3)(A)(i)(III) to establish test beds and fabrication facilities to advance the operation, integration and, as appropriate, manufacture of innovative technologies in the key technology focus areas, which may include hardware or software. The goal of such test beds and facilities shall be to accelerate the movement of innovative technologies into the commercial market through existing and new companies.

“(B) PROPOSALS.—A proposal submitted under this paragraph shall, at a minimum, describe—
“(i) the 1 or more technologies that will be the focus of the test bed or fabrication facility;
“(ii) the goals of the work to be done at the test bed or facility; and
“(iii) the expected schedule for completing that work;
“(iv) how the applicant will assemble a workforce with the skills needed to operate the test bed or facility;
“(v) how the applicant will ensure that work in the test bed or facility will contribute to the commercial viability of any technologies, which may include collaboration and funding from industry partners;
“(vi) how the applicant will encourage the participation of entrepreneurs and the development of new businesses; and
“(vii) how the test bed or facility will operate after Federal funding has ended.

“(C) AWARDS.—Grants made under this paragraph—
“(i) shall be for 5 years, with the possibility of 3-year extension; and
“(ii) may be used for the purchase of equipment, the support of graduate students and postdoctoral researchers, and the salaries of staff.

“(D) REQUIREMENTS.—As a condition of receiving a grant under this paragraph, an institution of higher education or consortium described in subparagraph (B) shall publish and share with the public the results of the work conducted under this paragraph.
serve as the chairperson of the Board of Advisors. The Board of Advisors shall elect 1 member to serve as the chairperson of the Board of Advisors for a 3-year term. The term of each member shall be determined by the Board of Advisors and shall expire on a staggered basis.

(ii) The Director shall inform the members of the Board of Advisors of any policies or procedures that could best be carried out to accomplish the purposes of this section.

(iii) The Board of Advisors shall hold the first meeting of the Board of Advisors, the Board of Advisors, and the Board of Directors, shall be appointed for a 3-year term, and shall hold such additional meetings as the Board of Directors shall determine.

(iv) The Board of Advisors shall hold the first meeting of the Board of Directors, and the Board of Directors shall elect a chairperson and a vice-chairperson for the Board of Directors.

(v) The Board of Advisors shall hold a meeting for the purpose of electing the chairperson of the Board of Directors.

(vi) The Board of Directors shall hold a meeting for the purpose of electing the chairperson of the Board of Directors.

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(xl) The Board of Directors shall hold a meeting for the purpose of electing the chairperson of the Board of Directors.
(C) $20,000,000,000 is authorized for fiscal year 2023;
(D) $35,000,000,000 is authorized for fiscal year 2024; and
(E) $20,000,000,000 is authorized for fiscal year 2025.

(2) Appropriations Limitations.—
(A) Hold harmless.—No funds shall be appropriated to any directorate or office to carry out this section for any fiscal year in which the total amount appropriated to the Foundation (not including amounts appropriated for the Foundation) is less than the total amount appropriated to the Foundation (not including such amounts), adjusted by the rate of inflation, for the previous fiscal year.

(B) Transfer of Funds.—The Director shall not transfer any funds appropriated to any other directorate or office of the Foundation to the Directorate.

(4) Annual Report on Unfunded Priorities.—

(1) Annual Report.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director shall submit to the President and to Congress a report containing the unfunded priorities of the National Science and Technology Foundation.

(2) Elements.—Each report submitted under paragraph (1) shall provide—

(A) by redesignating subsection (c) as subsection (d), redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after subsection (c) the following:

"(1) Key Technology Focus Areas.—Subsection (a) of section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 372d) is amended—

(A) by redesignating subsection (d) as subsection (c), redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after subsection (c) the following:

"(2) Key Technology Focus Areas.—The term 'key technology focus areas' means the areas included on the most recent list under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.)."

(2) Venture Development Organizations.—

(a) Definitions.—

"(B) Designation and Support of Regional Technology Hubs.—Part of Regional Innovation Program of Department of Commerce.—

(1) In General.—Such section is amended—

(A) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(B) by inserting after subsection (c) the following:

"(d) Designation of and Grants in Support of Regional Technology Hubs.—

(1) Program Required.—

(A) In General.—As part of the program established under subsection (b), the Secretary shall carry out a program—

(i) to designate eligible consortia as regional technology hubs that create the conditions, within a region, to facilitate activities that—

(I) enable United States leadership in a key technology focus area, complementing the Federal investment in key technology focus areas; and

(II) support regional economic development that diffuses innovation capacity around the United States, enabling better broad-based growth and competitiveness in key technology focus areas; and

(ii) to support regional technology hubs designated under clause (i).

(B) Eligible Consortia.—For purposes of this section, an eligible consortium is a consortium that—

(i) includes—

(I) an institution of higher education;

(II) a local economic development or other political subdivision of a State;

(III) a government of a State or the economic development representative of a State; and

(IV) an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship; and

(ii) may include—

(I) nonprofit entities with relevant expertise;

(II) venture development organizations;

(III) financial institutions;

(IV) educational institutions, including career and technical education schools;

(V) workforce training organizations;

(VI) industry associations;

(IX) Federal laboratories; and

(X) Centers (as defined in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a);)

(XI) manufacturing USA institutes (as defined in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(d)); and

(XI) institutions receiving an award under paragraph (6) of section 8A(c) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.)."

(3) Administration.—The Secretary shall carry out this subpart through the Assistant Secretary of Commerce for Economic Development and the Under Secretary of Commerce for Standards and Technology, jointly.

(4) Designation of Regional Technology Hubs.—

(A) In General.—The Secretary shall use a competitive process for the designation of regional technology hubs under paragraph (1)(A)(i)."

(5) Use of Grant Funds.—The recipient of a grant awarded under subparagraph (A) shall use the grant for multiple activities determined appropriate by the Secretary, including—

(i) the permissible activities set forth under subsection (c)(3); and

(ii) activities in support of key technology focus areas—

(I) to develop the region's skilled workforce by the training and retraining of workers and alignment of career technical training and educational programs in the region's elementary and secondary schools and institutions of higher education;

(II) to develop regional strategies for infrastructure improvements and site development in support of the regional technology hub plans and programs;

(III) to support business activity that develops the domestic supply chain and encourages the creation of new business ventures;

(IV) to attract new private, public, and philanthropic investment in the region for developing innovation capacity, including innovation and technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.), through activities that may include—

(aa) proof-of-concept development and prototyping;

(bb) public-private partnerships in order to reduce the cost, time, and risk of commercializing new technologies;

(cc) creating and funding competitions to allow entrepreneurial ideas from institutions of higher education to become commercial; and

(dd) facilitating mentorships between local and national business leaders and potential entrepreneurs to encourage successful commercialization;"
(ee) creating and funding for-profit or not-for-profit entities that could enable researchers at institutions of higher education and other research entities to further develop their research and commercialize, through patient funding, advice, staff support, or other means; and

(ff) providing facilities for start-up companies whose technology maturation could occur; and

(VI) to carry out such other activities as the Secretary considers appropriate to improve States' competitiveness and regional economic development to support a key technology focus area and that would further the purposes of the Endless Frontiers Act.

(4) APPLICATIONS.—

(A) IN GENERAL.—An eligible consortium seeking designation as a regional technology hub under clause (i) of paragraph (1)(A) and support under clause (ii) of such paragraph shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may specify.

(B) CONSULTATION WITH NATIONAL SCIENCE FOUNDATION AND NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In preparing an application for such designation under paragraph (1)(A), the applicant shall consult with one or more activity organizations and sources of private and public financial assistance, and other research entities to further develop the technology focus area being supported by the grant.

(C) CONSIDERATIONS FOR DESIGNATION AND GRANT AWARDS.—In selecting an eligible consortium that submitted an application as described in subparagraph (B), the Secretary shall consider, among other things, the following:

(A) The potential of the eligible consortium to advance the development of new technologies in a key technology focus area.

(B) The likelihood of positive regional economic impact, including increasing the number of high wage jobs, and creating new economic opportunities for economically disadvantaged populations.

(C) How the eligible consortium plans to integrate with and leverage the resources of one or more university technology centers established under section 8A(c)(6) of the Act of May 19, 1980 (64 Stat. 199, chapter 171; 42 U.S.C. 1861 et seq.) that are either geographically or technologically relevant or are conducting research on relevant key technology focus areas.

(D) How the eligible consortium will engage with the private sector, including small- and medium-sized enterprises to commercialize new technologies and develop new supply chains in the United States in a key technology focus area.

(E) How the eligible consortium will carry out workforce development and startup acquisition programming, including through the use of apprenticeships, mentorships, and other related activities authorized by the Secretary to support the development of a key technology focus area.

(F) How the eligible consortium will improve science, technology, engineering, and mathematics education programs in the identified region in elementary and secondary school and higher education institutions located in the identified region to support the development of a key technology focus area.

(G) How the eligible consortium plans to develop partnerships with venture development organizations and sources of private investment in support of private sector activity, including launching new or expanding existing companies, in a key technology focus area.

(H) How the eligible consortium plans to organize the activities of regional partners in the public, private, and philanthropic sectors in support of the proposed regional technology hub, including the development of necessary infrastructure improvements and site preparation and the attainment of financial assistance, and that would further the purposes of the Endless Frontiers Act.

(1) How the eligible consortium plans to address economic inclusion, including ensuring that skill development, entrepreneurial assistance, and other activities focus on economically disadvantaged populations.

(2) How the eligible consortium will coordinate activities under subparagraph (A) may include the following:

(A) The alignment of activities of the Hollings Manufacturing Extension Partnership with the activities of regional technology hubs designated under this subsection, if applicable.

(B) Coordination with the activities of the Manufacturing USA Institute.

(C) Coordination with the activities of Federal departments and agencies whose missions contribute to the goals of the regional technology hub.

(D) Elements.—Coordination by the Secretary under subparagraph (B) may include the following:

(i) The alignment of activities of the Manufacturing USA Program with the activities of regional technology hubs designated under this subsection.

(ii) The alignment of activities of the Manufacturing USA Program and the Manufacturing USA Institute with the activities of regional technology hubs designated under this subsection.

(E) How the eligible consortium will develop partnerships with venture development organizations and sources of private investment in support of private sector activity, including launching new or expanding existing companies, in a key technology focus area.

(F) How the eligible consortium will coordinate activities under subparagraph (A).
and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) Key technology focus area.—The term "key technology focus area" means an area included on the most recent list under section 8A(c)(2) of the Act of May 10, 1950 (64 Stat. 148, chapter 171; 42 U.S.C. 1861 et seq.).

(3) National security strategy.—The term "national security strategy" means the national security strategy required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043).

(b) Strategy and report.—

(1) In general.—In 2021 and in each year thereafter, applicable to the applicable date set forth under paragraph (2), the Director of the Office of Science and Technology Policy, in coordination with the Director of the National Economic Council, the Director of the National Science Foundation, the Secretary of Commerce, the National Security Council, and the heads of other relevant Federal agencies, shall:

(A) review such strategy, programs, and resources as the Director of the Office of Science and Technology Policy determines pertain to the United States national competitiveness in science, research, and innovation to support the national security strategy;

(B) report a strategy for the Federal Government to improve the national competitiveness of the United States in science, research, and innovation to support the national security strategy; and

(C) submit to the appropriate committees of Congress—

(i) a report on the findings of the Director with respect to the review conducted under paragraph (1); and

(ii) the strategy developed or revised under paragraph (2).

(2) Applicable dates.—In each year, the applicable date set forth under this paragraph is as follows:

(A) In 2021, December 31, 2021.

(B) In 2022 and every year thereafter—

(i) in any year in which a new President is inaugurated, October 1 of that year; and

(ii) in any other year, the date that is 90 days after the date of the transmission to Congress in that year of the national security strategy.

(c) Elements.—

(1) Report.—Each report submitted under subsection (b)(1)(C)(i) shall include the following:

(A) an assessment of public and private investment in civilian and military science and technology and its implications for the geostategic position and national security of the United States;

(B) a description of the prioritized economic security interests and objectives of the United States relating to science, research, and technology and an assessment of how investment in civilian and military science and technology can advance those objectives;

(C) an assessment of barriers to competitiveness in key technology focus areas and barriers to the development and evolution of start-ups, small and mid-size business entities, and industries in key technology focus areas;

(D) an assessment of the effectiveness of the Federal Government, federally funded research centers, and national labs in supporting and promoting technology commercialization and technology transfer, including an assessment of the adequacy of Federal research and development funding in promoting competitiveness and the development of new technologies;

(E) an assessment of manufacturing capacity, logistics, and supply chain dynamics of major export sectors, including access to a skilled workforce, infrastructure, and broadband network infrastructure.

(2) Strategy.—Each strategy submitted under subsection (b)(1)(C)(ii) shall include the following:

(A) a plan to utilize available tools to address or minimize the leading threats and challenges and to take advantage of the leading opportunities following:

(i) Specific objectives, tasks, metrics, and milestones for each relevant Federal agency.

(ii) Specific plans to support public and private sector investment in research, technology development, and domestic manufacturing in key technology focus areas supportive of the national economic competitiveness of the United States and to foster the prudent use of public-private partnerships.

(iii) Specific plans to promote environmental stewardship and fair competition for United States workers.

(iv) A description of—

(I) how the strategy submitted under subsection (b)(3) supports the national security strategy; and

(II) how the strategy submitted under such subsection is integrated and coordinated with the most recent national defense strategy under section 113(g) of title 10, United States Code.

(v) A plan to encourage the governments of countries that are allies or partners of the United States to cooperate with the execution of the strategy submitted under subsection (b)(3)(B), where appropriate.

(vi) A plan to support certain international and multinational organizations to support the implementation of such strategy.

(vii) A plan for how the United States should develop local and regional capacity for building innovation ecosystems across the nation by providing Federal support.

(viii) A plan to support the industrial base of the United States.

(B) an identification of additional resources, administrative action, or legislative action recommended to assist with the implementation of such strategy.

(d) Form of reports and strategies.—Each report and strategy submitted under subsection (b) shall be submitted in unclassified form, except that an annex may be classified.

SEC. 6. CONFORMING AMENDMENTS.


(1) in section 2(a)(5) (42 U.S.C. 1862h(a)(5)), by striking "National Science Foundation" and inserting "National Science and Technology Foundation"; and

(2) in section 101(a)(6) (42 U.S.C. 1862k(a)(6)), by striking "National Science Foundation established" and inserting "National Science and Technology Foundation established"; and

(3) in section 10A (42 U.S.C. 1862n-1a)—

(A) in the section heading, by inserting "AND TECHNOLOGY" after "NATIONAL SCIENCE"; and

(B) in the subsection heading of subsection (e), by inserting "AND TECHNOLOGY" after "NATIONAL SCIENCE".

(b) America COMPETES Act.—The America COMPETES Act (Public Law 110–69; 121 Stat. 572) is amended—

(1) in each of sections 1008(c)(1)(K) (15 U.S.C. 3716(c)(1)(K)), 5001 (33 U.S.C. 2291), and 5003(b)(1), by striking "National Science Foundation" and inserting "National Science and Technology Foundation"; and

(2) in section 702 (42 U.S.C. 1862o note), by striking "National Science Foundation" and inserting "National Science and Technology Foundation"; and

(3) in the title heading for title VII, by inserting "AND TECHNOLOGY" after "NATIONAL SCIENCE"

(c) National Science and Technology Policy, Organization, and Priorities Act of 1976.—The National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.) is amended—

(1) in section 205(b)(2) (42 U.S.C. 6614(b)(2)), by striking "National Science Foundation" and inserting "National Science and Technology Foundation"; and

(2) in section 206 (42 U.S.C. 6615), by striking "National Science Foundation" each place the term appears and inserting "National Science and Technology Foundation".

(d) National Science and Technology Policy, Organization, and Priorities Act of 2002.—The National Science and Technology Policy, Organization, and Priorities Act of 2002 (42 U.S.C. 6601 et seq.) is amended—

(1) in each of subparts (a), (b), and (c) of section 516 (42 U.S.C. 6621 (a), by striking "National Science Foundation" each place the term appears and inserting "National Science and Technology Foundation".

(e) America COMPETES Reauthorization Act of 2010.—The America COMPETES Reauthorization Act of 2010 (Public Law 111–358; 124 Stat. 3962) is amended—

(1) in the title heading of title VII, by inserting "AND TECHNOLOGY" after "NATIONAL SCIENCE".

(2) in section 502 (42 U.S.C. 1862p note)—

(A) in paragraph (1), by striking "National Science Foundation" and inserting "National Science and Technology Foundation"; and

(B) in paragraph (3), by striking "National Science Foundation" each place the term appears and inserting "National Science and Technology Foundation".

(f) America COMPETES Reauthorization Act of 2010.—The America COMPETES Reauthorization Act of 2010 (Public Law 111–358; 124 Stat. 3962) is amended—

(1) in each of subsections (a)(3), (b), and (c)(2), by striking "National Science Foundation" and inserting "National Science and Technology Foundation".

(2) in section 101(a)(6) (42 U.S.C. 1862k(a)(6)), by striking "National Science Foundation" each place the term appears and inserting "National Science and Technology Foundation".


(1) in each of subsections (a)(4), (b), and (c)(2), by striking "National Science Foundation" and inserting "National Science and Technology Foundation".

(2) in section 182 (42 U.S.C. 1862p), by striking "Foundation," and inserting "Foundation and".

(3) in the section heading, by inserting "AND TECHNOLOGY" after "NATIONAL SCIENCE".
(6) in section 519 (124 Stat. 405)—
(A) in the section heading, by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”; and
(B) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(7) in section 520 (42 U.S.C. 1629p–10)—
(A) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(B) in the subsection heading of subsection (b), by striking “NSF” and inserting “NSTF”;
(8) in section 522 (42 U.S.C. 1629p–11)—
(A) in the section heading, by striking “NSF” and inserting “NSTF”; and
(B) by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;
(9) in section 524 (42 U.S.C. 1629p–12), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(10) in section 555(f) (20 U.S.C. 9905(f)), by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”;
(g) STEM EDUCATION ACT OF 2015.—Each of section 7001 (20 U.S.C. 10001) and section 7002 (20 U.S.C. 10002) of the Public Law 114–124; 130 Stat. 120 is amended by striking “National Science” each place the term appears and inserting “National Science and Technology”.
(h) RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLEXIA ACT.—The Research Excellence and Advancements for Dyslexia Act (Public Law 114–124; 130 Stat. 120) is amended by striking “National Science” each place the term appears and inserting “National Science and Technology”.
(i) QUANTUM INITIATIVE ACT.—The American Innovation and Competitiveness Act (42 U.S.C. 1862s) is amended by striking “National Science” each place the term appears and inserting “National Science and Technology”.
(j) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976.—The National Science Foundation Authorization Act, 1976 (Public Law 94–86) is amended—
(1) in section 2 (42 U.S.C. 1862 note), by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”; and
(2) in section 601(a)(1) (42 U.S.C. 1862s–8(a)(1)), by striking “National Science” each place the term appears and inserting “National Science and Technology”;
(k) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1977.—Section 8 of the National Science Foundation Authorization Act, 1977 (42 U.S.C. 1862s–8) is amended by striking “National Science” each place the term appears and inserting “National Science and Technology Foundation”;
(l) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, FISCAL YEAR 1978.—Section 8 of the National Science Foundation Authorization Act, Fiscal Year 1978 (42 U.S.C. 1869b) is amended by striking “National Science” each place the term appears and inserting “National Science and Technology Foundation”;
(m) ACT OF AUGUST 25, 1980.—The first section of section 106 of the Act of August 25, 1980 (42 U.S.C. 1880) is amended by inserting “and Technology” after “National Science”;
(n) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, FISCAL YEAR 1980.—Section 9 of the National Science Foundation Authorization Act for Fiscal Year 1980 (42 U.S.C. 1882) is amended by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(o) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2005.—Section 721 of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 1886a) is amended by striking “The National Science Foundation” and inserting “The National Science and Technology Foundation”;
(p) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1986.—Section 108 of the National Science Foundation Authorization Act for Fiscal Year 1986 (42 U.S.C. 1886) is amended by inserting “and Technology” after “National Science”;
(q) NATIONAL AERONAUTICS AND SPACE INITIATIVE ACT.—The National Quantum Initiative Act (Public Law 115–368) is amended—
(1) in the table of contents in section 2, by striking the item relating to title III and inserting the following:
"TITLES III—NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION QUANTUM ACTIVITIES";
(2) in section 102(a)(2)(A) (15 U.S.C. 8812(a)(2)(A)), by inserting “and Technology” after “National Science”; and
(3) in section 103 (15 U.S.C. 8813), by striking “National Science” each place the term appears and inserting “National Science and Technology Foundation”;
(r) NATIONAL SCIENCE FOUNDATION ACT.—The American Innovation and Competitiveness Act (42 U.S.C. 1862s) is amended by inserting “and Technology” after “National Science and Technology Foundation”;
(s) HIGH-PERFORMANCE COMPUTING ACT OF 2014.—The High-Performance Computing Act of 2014 (15 U.S.C. 7421 et seq.) is amended—
(1) in section 201 (15 U.S.C. 7431), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(2) in each of sections 301 and 302 (15 U.S.C. 7431, 7442), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(1) in section 201 (15 U.S.C. 7431), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”; and
(2) in each of sections 301 and 302 (15 U.S.C. 7431, 7442), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;
(u) NATIONAL SUPERCONDUCTIVITY AND COMPETITIVENESS ACT OF 1988.—Section 6 of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5205) is amended by striking “National Science” each place the term appears and inserting “National Science and Technology Foundation”;
(v) CYBER SECURITY RESEARCH AND DEVELOPMENT ACT.—The Cybersecurity Research and Development Act (15 U.S.C. 7401 et seq.) is amended—
(1) in section 3(c) (15 U.S.C. 7402(1)), by inserting “and Technology” after “National Science”; and
(2) in section 5 (15 U.S.C. 7404)—
(A) in the section heading, by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”; and
(B) in subsection (c)(4), by inserting “and Technology” after “National Science”;
(1) in subsection (a), by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”; and
(2) in subsection (b), by inserting “National Science and Technology Foundation” after “National Science”;
(x) WEATHER RESEARCH AND FORTIFYING INNOVATION ACT OF 2017.—Each of sections 105 and 402(a)(1) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8515, 8522(a)(1)) are amended by inserting “and Technology” after “National Science”.

By Mr. THUNE.

S.J. Res. 74. A joint resolution requiring the Secretary of the Interior to authorize a unique and 1-time arrangement for certain displays on Mount Rushmore National Memorial relating to the centennial of the ratification of the 19th Amendment to the Constitution of the United States during the period beginning August 18, 2020, and ending on September 30, 2020; to the Committee on Energy and Natural Resources.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

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

S.J. Res. 74

Whereas, on May 21, 1919, the House of Represent­atives adopted House Joint Resolution 1, 66th Congress, proposing an amendment to the Constitution extending the right of suffrage to women;
Whereas, on June 4, 1919, the Senate adopt­ed House Joint Resolution 1, 66th Congress, sending to the States for ratification the 19th Amendment to the Constitution of the United States;
Whereas, on August 18, 1920, the 36th State approved the 19th Amendment to the Constitution of the United States, satisfying the constitutional threshold of passage in 3/4 of the States;

Whereas, on August 26, 2020, Secretary of State Bainbridge Colby certified the 19th Amendment to the Constitution of the United States;

Whereas section 431(a)(3) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017 (Public Law 115–31; 131 Stat. 502), enacted into law S. 487, 115th Congress (as introduced on April 5, 2017), which established the Women’s Suffrage Centennial Commission “to ensure a suitable observance of the centennial of the passage and ratification of the 19th Amendment to the Constitution of the United States providing for women’s suffrage”;

Whereas August 18, 2020, marks the centennial of the ratification of the 19th Amendment to the Constitution of the United States by 3/4 of the States;

Whereas August 26, 2020, marks the centennial of the 19th Amendment becoming a part of the Constitution of the United States; and

Whereas the centennial anniversary of the ratification of the 19th Amendment to the Constitution of the United States providing for women’s suffrage should be honored and celebrated;

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) requests the Secretary of the Interior to authorize a unique and 1-time arrangement to commemorate the centennial of the passage of the 19th Amendment to the Constitution of the United States entitled “LOOK UP TO HER at Mount Rushmore” with a display of historical artifacts, digital content, film footage, and associated historical audio and imagery in and around the vicinity of the Mount Rushmore National Memorial, including projected onto the surface of the Mount Rushmore National Memorial to the left and right of the sculpture for 14 nights of public display during the period beginning on August 18, 2020, and ending on September 30, 2020; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the Secretary of the Interior; and

(B) the Lincoln Borglum Museum at the Mount Rushmore National Memorial.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 594—CALLING FOR THE PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT PROGRAM TO BE SUFFICIENT TO COVER LOSSES EXPERIENCED BY CHILD CARE PROVIDERS DUE TO THE COVID-19 PANDEMIC

Mrs. LOEFFLER (for herself and Mrs. ERNST) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. Res. 594

Whereas the COVID-19 pandemic has disrupted the child care market and has resulted in decreased demand for child care, closures of child care providers, and unemployment for parents;

Whereas before the pandemic, many working families faced challenges of increasing costs of child care, and a lack of access to child care, including a lack of access in child care deserts;

Whereas in the months before the pandemic, the Child Care and Development Block Grant program provided access to affordable child care each month to nearly 850,000 families, and over 1,400,000 children;

Whereas child care providers have lost significant income from families who cannot pay and from reduced State reimbursements;

Whereas in March 2020, in a nationwide survey of child care providers, 30 percent of the child care providers said they would not withstand a closure of more than 2 weeks without significant public investment and support, an additional 17 percent of the child care providers said they would not withstand a closure of any amount of time without that investment and support, and only 11 percent of the child care providers were confident they could withstand a closure of an indeterminate length without that investment and support;

Whereas child care providers that remain open are supporting our Nation’s front line of defense by providing child care for essential workers who are first responders, health care, public transit, grocery store workers, and workers in essential industries, and who have an estimated 6,000,000 children under the age of 13 in need of emergency care;

Whereas those providers are facing challenges of increased costs for cleaning their facilities and providing a safe environment for children;

Whereas the CARES Act provided $3,500,000,000 for the Child Care and Development Block Grant program and much-needed relief for families and businesses;

Whereas an estimated additional $25,000,000,000 is still needed for the Child Care and Development Block Grant program to provide minimum sufficient funds to States, ensuring that many child care providers remain open and many others are able to reopen their facilities; and

Whereas the United States is beginning to recover and accessible child care is crucial for working parents to return to work: Now, therefore, be it:

Resolved, That the Senate calls for—

(1) significant funds, in addition to the amount provided under the CARES Act (Public Law 116–136), to be made available through payments to States for the Child Care and Development Block Grant program; and

(2) those funds to be used for the purposes of making maintenance grants for eligible child care providers under the Child Care and Development Block Grant Act (42 U.S.C. 9858 et seq.)—

(A) to support the providers in paying costs associated with closures, or decreased attendance or enrollment, related to coronavirus; and

(B) to assure the providers are able to remain open or reopen as appropriate.

SENATE RESOLUTION 595—RECOGNIZING WIDENING THREATS TO FREEDOMS OF THE PRESS AND EXPRESSION AROUND THE WORLD, REAFFIRMING THE CENTRALITY OF A FREE AND INDEPENDENT PRESS TO THE HEALTH OF FREE SOCIETIES AND DEMOCRACIES, AND REAFFIRMING FREEDOM OF THE PRESS AS A PRIORITY OF THE UNITED STATES IN PROMOTING DEMOCRACY, HUMAN RIGHTS, AND GOOD GOVERNANCE, IN COMMEMORATION OF WORLD PRESS FREEDOM DAY ON MAY 3, 2020

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARSTEN, Mr. TILLIS, Mr. KAINÉ, Mr. BOOZMAN, Mr. COONS, Mr. CORNYN, Mr. MARKET, MRS. BLACKBURN, Mr. MERKLEY, Ms. COLLINS, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 595

Whereas Article 19 of the Universal Declaration of Human Rights, adopted in Paris December 10, 1948, states, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”;

Whereas, in 1993, the United Nations General Assembly proclaimed May 3rd of each year as “World Press Freedom Day”;

(1) to celebrate the fundamental principles of freedom of the press;

(2) to evaluate freedom of the press around the world;

(3) to defend the media against attacks on its independence; and

(4) to pay tribute to journalists who have lost their lives while working in their profession;

Whereas, on December 18, 2013, the United Nations General Assembly adopted Resolution 68/163, regarding the safety of journalists and the issue of impunity for crimes against journalists, which unequivocally condemns all attacks on, and violence against, journalists and media workers, including torture, detention, enforced disappearance, arbitrary detention, and intimidation and harassment in conflict and nonconflict situations;

Whereas Thomas Jefferson, who recognized the importance of the press in a constitutional republic, wisely declared, “were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”;

Whereas the First Amendment to the United States Constitution guarantees free press and the Second Amendment grants a right to keep and bear arms.

Whereas the United States Constitution and various State constitutions protect freedom of the press in the United States;

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (Public Law 111–166; 22 U.S.C. 2511 note), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the examination of the freedom of the press around the world in the annual Country Reports on Human Rights Practices of the Department of State;

Whereas a vigilant commitment to freedom of the press is especially necessary in the wake of the COVID-19 pandemic—

(1) as governments around the world are using emergency laws to restrict access to information, impose press restrictions, and suppress free speech; and

...