The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. Cuellar).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

I hereby appoint the Honorable Henry Cuellar to act as Speaker pro tempore on this day.

Nancy Pelosi,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The Speaker pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

MAKING OUR COUNTRY SAFER
FOR BLACK AMERICANS

The Speaker pro tempore. The Chair recognizes the gentleman from Maryland (Mr. Brown) for 5 minutes.

Mr. Brown of Maryland. Mr. Speaker, I am a Black man living in America, and that puts me at greater risk while living in America.

The fact that I served 30 years in the United States Army, an institution that prides itself on being colorblind, doesn’t change the fact that I am Black and at greater risk.

The fact that I graduated from a good school with honors doesn’t change the color of my skin and the risk of living in America.

That I attended Harvard Law School and practiced law at a blue-chip firm in Washington, D.C., doesn’t change the fact that my family is from Africa and that we are at greater risk, even today, in America.

Even being a Member of this august institution, the United States Congress, doesn’t shield me from the risks of being Black in America.

Mr. Speaker, 401 years after we arrived in bondage, a Black man in America is more likely to be stopped by the police than a White man. Mr. Speaker, 155 years after the signing of the Emancipation Proclamation, a Black man is more likely to be arrested than a White man.

Mr. Speaker, within my own lifetime of witnessing the first Black man appointed to the Supreme Court; the first Black woman elected to the United States Senate; the first Black man appointed chairman of the Joint Chiefs of Staff; and, yes, the Black first man elected President of the United States, a Black man is still much more likely than a White man to die at the hands of police.

Every day for the past 10 years, Mr. Speaker, I, like every parent of a Black child, remind my Black boys, my sons, to be careful: Put your hands in plain sight if approached by an officer. Don’t move suddenly when being questioned by the police. Be sure to ask permission before reaching for your wallet. And always respond to police rudeness with respect.

I do that because I don’t want my children, anyone’s Black child, to be harmed by the use of excessive force. I don’t want them to be the victim of a police-involved shooting. They are good boys, too many good boys, too many good men. Black men living in America, have died at the hands of police in America.

So today, Mr. Speaker, I rise to say: Enough. We have endured too much, and the Congress has done too little.

Today, Mr. Speaker, I rise in support of the Justice in Policing Act. I thank my colleagues on the Congressional Black Caucus, former and present, who have worked on these issues for far too long. I thank House leadership for bringing the bill to the floor so that we can once and for all bring an end to the injustice that is inflicted by those who we look to as the first line of justice.

Mr. Speaker, systemic racism pervades our society, and the criminal system, from police encounters to punishment, is racially biased.

This requires structural and transformational change in policing in America: reducing militarization; removing bad officers; holding them accountable for illegal behavior and gross misconduct; improving training so officers are guardians and protectors of our communities, not warriors acting aggressively toward our communities; increasing transparency and the ability to investigate and prosecute, where necessary; banning the chokehold; and outlawing racial profiling. But that is not enough.

As we work in these days, weeks, and months ahead, we have to acknowledge that, for far too long, we have neglected policies and programs that meet the needs of our communities, and we need to address the structural disparities heard in Black and Brown families. Instead of criminalizing homelessness, addiction, poverty, and, yes, being Black, we need to make the investments that will keep us safe and address the inequalities that exist in our country.

Today, Mr. Speaker, we will pass the Justice in Policing Act. But tomorrow, we must take on other challenges: economic opportunity, mental health, housing, pre-K, health disparities.

In this moment, we have a chance to not just transform policing but make
our entire country more just and safer for Black Americans and every American.

PASS BIPARTISAN LAW ENFORCEMENT REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BYRNE) for 5 minutes.

Mr. BYRNE. Mr. Speaker, I have spoken out against racism from this floor before, but under the present regrettable circumstances, I feel compelled to do so again.

All of us are created in the image of God and are of equal and inestimable moral worth—all of us. There are no exceptions. Both St. Peter and St. Paul spoke out against prejudice. Our Declaration of Independence states plainly that we are all created equal. Our laws require equality of treatment and opportunity.

It is a fact that we betrayed this ideal when our country was founded when we tolerated slavery, an immoral human practice, which in this country was carried out by Whites against Blacks. It took nearly 90 years after our founding to erase this blot when we passed the Thirteenth Amendment. It also took a civil war, which cost 600,000 lives.

Even then, we didn’t grant Black people true equality. For the next 100 years, they endured Jim Crow laws in the South, de jure segregation in the North, and de facto segregation in the South, de jure segregation in the North, and de facto segregation in the South until 1965. That is a sentence I almost can’t say.

But laws don’t change hearts, and we are still walking the path toward rid-
ding this Nation of the scourge of rac-
ism. As I have watched COVID work its will in my district, I have been dis-
traught to see the disproportionate ef-
fect on the health and lives of the one-
third of my constituents who are Black—on Black workers and business
owners who suddenly, and through no fault of their own, lost their jobs and
their businesses, and on Black children
who lost months of their education,
which they badly need.

The chief of police in Mobile, the
urban center of my district, is Law-
rence Battiste, a 27-year veteran of law
enforcement and, yes, a Black man. We
had a Sunday afternoon of protests a
few weeks ago, and I watched as he and
the officers under his direction carried
out their duties with professionalism and
character.

‘Character.’ I use that word because it is so important right now and be-
cause I have long admired Dr. King’s
statement that we shouldn’t be judged
by the color of our skin but by the con-
tent of our character.

I am proud of Chief Battiste and his officers, but they aren’t the only pro-
essionals performing their duties under extraordinarily difficult cir-
cumstances and with character. There are many, many law enforcement of-
cers around this country who are truly public servants and they deserve our
respect and our support.

We, in this House, can disagree on the appropriate policies to pursue to
achieve justice and right the wrong of continuing inequality. But there is no
disagreement, which is wrong, is morally repugnant. There is also no
disagreement that doing nothing in the
face of continuing racism isn’t accept-
able.

We, in this House, need to work
together, not in parallel partisan efforts.
This House came together to pass the
cARES Act earlier this year. Surely,
we can come together to pass meaning-
ful and bipartisan law enforcement re-
form legislation that will actually go
to the President’s desk.

I wish we would address more funding for community health centers so poor
people, and especially people of color, would have better access to primary
care, which would help equalize health outcomes. I also wish we would take up
education choice legislation, like Edu-
cation Freedom Scholarships so that
minority children have the same oppor-
tunities for a quality education as their
peers from families with the means to
pay for their schooling.

We are capable of so much more in
this country, but only if we remember
the one stated purpose of our Constitu-
tion is to create a more perfect union.
That is not a one-and-done thing; it is
a generation-after-generation thing.
It is time to unite in this body and do the
hard work of this generation. Let’s
do it for the Lawrence Battistes out
there. Let’s do it for our children
and grandchildren. And let’s do it because
that will reveal the content of our na-
tional character which is far more impor-
tant than the color of our skin.

CALLING FOR DEPARTMENT TO
ADDRESS RACISM

The SPEAKER pro tempore. The
Chair recognizes the gentleman from
Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker,
and still I rise, and I rise because I love
my country.

I rise because the winds of change are
blowing across America. The winds of
change are blowing through this House
of Representatives. There will be
changes in this House, and these
changes are taking place because we are
not respecting the will of the peo-
ple. The people are speaking to us, and
we must listen. The winds of change are
blowing.

We have an opportunity to do more
than talk about invidious discrimina-
tion. We have an opportunity to do
more than talk about racism. We have
an opportunity to do something that
can change the course of history.

H. Res. 992 addresses the change that we need.
To my dear brother who just spoke, I
would have you sign on to H. Res. 992.
It would provide a department of re-
ciliation. Yes, the Emancipation
Proclamation was not a declaration of re-
ciliation. It is time for us to re-
cile.

We have survived slavery, but we
didn’t reconcile. We have survived Jim
Crow’s laws and Bull Connor’s dogs,
but we didn’t reconcile. It is time to re-
cile.

All the commissions are fine, and I
support them, but a department that
reports directly to the President of the
United States of America is in order.
We need a secretary of reconciliation,
someone who wakes up every morning
with his mission of reconciling by way
of developing a strategy and imple-
menting a strategy to eliminate racial
segregation as it exists in many places
still, but racism, more specifically, and
invidious discrimination.

Every day, invidious discrimination
and racism will be addressed. This is
the means by which we can also get up-
dates on progress.

We can institutionalize a method-
ology by which we can realize true ra-
cial reform in this country, racial eq-
ity, as it were. This department would
have as its mission to eliminate dis-
crimination against all the protected
classes. The secretary of reconciliation
will report to Congress twice a year
to explain the progress that is being
made, or lack thereof.

This department would be funded
with a minimum of 10 percent, or the
equivalent of 10 percent of what the
Defense Department’s budget is, a
minimum of 10 percent of the equivalent
of the Defense Department’s budget. We
know that the Defense Department’s
budget will be funded; that means that
the department of reconciliation will
be funded.

Those who do not recognize the winds
of change, those who believe that we
can go back to bigotry as usual, you
are mistaken. This resolution is a
means by which we can send a message
to all Americans that we understand
that the time has come for change.
Now is the time to bring about the
change by way of a department of re-
ciliation.

I close with this. We don’t have to
listen, but I guarantee you we will feel
the effects of not listening. The winds
of change are blowing through this
House of Representatives.

Celebrating the Life of Frederick Del Buono

The SPEAKER pro tempore. The
Chair recognizes the gentleman from
South Carolina (Mr. NORMAN) for 5
minutes.

Mr. NORMAN. Mr. Speaker, I rise
today to celebrate the life of a true
American, Frederick Del Buono, who

0915
was born on July 4, 1940, in Springfield, Massachusetts.

Fred attended trade school, and after completing his education, he entered the United States Navy in 1961. After boot camp, Fred was assigned to the first nuclear-powered aircraft carrier, the USS Enterprise, where it was ultimately deployed to Vietnam. During Frederick’s time aboard the carrier, the ship crossed the equator, where he joined King Neptune’s motley crew, making him an official Shellback.

Fred was honorably discharged in 1965 and continued to serve his country by joining the Navy Reserves. After 30 years of service in the United States Navy, Fred retired from the Navy Reserve Readiness Command on March 1, 1994.

Fred’s work career as a civilian began with being hired by the U.S. Post Office, where he was a tractor-trailer operator for over 21 years. Fred and his family moved to Rock Hill, South Carolina, in 2007, where he joined the esteemed group of patriots known as the Rolling Thunder Chapter 1, where he served as chairman of the board for over 10 years. This group of men and women offer comfort and aid to local veterans and their families as they become integrated into their respective communities.

Fred has continued his service by becoming a member of the American Legion Post 34, where he has served as chairman of the board for the last 10 years.

Fred Del Buono is a shining example of service above self, and his willingness to help others will long be remembered for many years to come.

ENOUGH IS ENOUGH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. ADAMS) for 5 minutes.

Ms. ADAMS. Mr. Speaker, I rise today to speak in support of H.R. 7120, the George Floyd Justice in Policing Act.

Enough is enough. Injustice anywhere is a threat to justice everywhere. Too many of our neighbors have died at the hands of law enforcement. Valuable people, beloved people, people who were siblings and coworkers and parishioners, members of our communities, parents, children, grandchildren are now hashtags. They are household names who have all traded that fame for just one more day, one more day with their friends, their families and loved ones.

Across this country we have learned too many names, but not as many people know their ages.

Walter Scott was 50. Tony McDade was 36. Alton Sterling was 37. Philando Castile was 32. Sandra Bland was 28. Breonna Taylor was 26. Botham Jean was 26. Freddie Gray was 25. Ahmaud Arbery was 25. Stephon Clark was 22. Michael Brown was 18. Laquan McDon-ald was 17. Tamir Rice was 12. Aiyana Stanley-Jones was just 7.

In Mecklenburg County in my district, we have too many names, over 50 since the year 2000, people of every race and background. Keith Lamont Scott was 29. Reuben Galindo was 29. Daquins Franklin was 27. Clay McCall was 26. Jonathan Ferrell was 24. Darryl Turner was 17. Laquan Brown was 16.

Since January 1, 2015, at least 155 people have been shot and killed by police in my home State of North Carolina, and his vision. Chief Broadway’s contributions to this new group will be invaluable, just as his 24 years of service already have been.

DEPENDING THE RIGHTS OF THE UNBORN

Mr. SPANO. Mr. Speaker, I rise today to add my voice to the millions in our country demanding that the communist Chinese Government be held accountable for its actions regarding the coronavirus, COVID–19. China lied and Americans died. It is really that simple.

For too long, our own national leaders have looked the other way as China has taken advantage of American ingenuity and naiveté. They have continually countered our interests around the world, and it is our companies and our citizens that have paid the price.

China intentionally mislead the international community about what it knew regarding the deadliest pandemic our world has seen in over 100 years. COVID–19 has since caused the deaths of over 100,000 Americans and over 9 million people worldwide.

China’s complicity in this crisis has, literally, brought our two countries around the globe while increasing their relative advantage, and for this they must answer. I have introduced and joined numerous legislative initiatives to do just that, and I ask my colleagues to join me to do the same.

China must and will be held accountable.

IN SUPPORT OF THE SECOND AMENDMENT

Mr. SPANO. Mr. Speaker, I rise today in strong support of our rights
under the Second Amendment, which are under continual attack.

The tragic death of George Floyd has brought to surface many important issues that demand our attention, but if there is one thing that has become clear during the subsequent weeks of social unrest, destruction, and further deaths, it is the importance of being able to protect ourselves, our families, our homes, and our businesses.

For far too long, gun-grabbing policies at the State and local levels across our Nation have targeted our ability and our right to defend ourselves. Now, as the idea of autonomous and police-free zones gain momentum, law-abiding citizens must retain the ability to protect their loved ones and their way of life.

Gun control and censorship always proceed tyranny; just ask our neighbors in Venezuela. But the citizens of Florida’s 15th District will have none of it. The Constitution is clear, and the events of this spring and summer are foreboding. We must retain the right to protect ourselves.

LET’S MAKE OUR GRANDCHILDREN PROUD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. UNDERWOOD) for 5 minutes.

Ms. UNDERWOOD. Mr. Speaker, I rise today to urge my colleagues to cast a vote today that will make their grand-children proud.

Our Nation is facing a critical moment of reckoning. We consider hundreds of important bills in this Chamber every year, but it is not every day that tens of thousands of Americans take to the streets in the middle of a deadly pandemic to demand our attention, and so I want you to pay attention.

We are here today to vote on the George Floyd Justice in Policing Act, but not just because one police officer pressed his knee into a handcuffed Black man’s neck for over 8 minutes. We are here to vote on this bill because, during those 8 minutes, three other officers stood by and because the man who killed George Floyd had 18 prior complaints against him, and yet he was allowed to wear a badge that should signify a community’s trust.

We are here today because Black lives matter. We are here because Rayshard Brooks and Tony McDade and Breonna Taylor and Stephon Clark and Deborah Danner and Philando Castile and Natasha McKenna and Tamir Rice and Laquan McDonald and Eric Garner and Aiyanna Stanley-Jones and so many others are not here—because their lives matter.

We are here because police kill 1,000 Americans every year, which indicates a system so profoundly broken that it cannot be fixed by simply tinkering around the edges. We are going to pass this bill today to create stronger systems of transparency and accountability in policing across this country. Just as well as our problems with policing run deeper than the actions of a few officers in Minneapolis, the fractures in our society run more from us than police reform. It is not police reform alone that has brought people out into the streets in the middle of a pandemic that disproportionately kills people of color. What is called for in this moment is the courageous and comprehensive reckoning with racism in America past, present, and future. It is Congress’ job to deliver policy that answers the call for this transformation.

I am the first person of color that Illinois’ 14th District has sent to D.C. to serve them in this Chamber. I co-founded the Black Maternal Health Caucus and recently introduced a package of Black maternal health bills because here in the United States when we spend more money on healthcare than any other country in the world, the risk of a pregnancy-related death for Black women is three to four times higher than for White women. These women’s deaths are preventable, and their lives matter.

We need to ban chokeholds and end no-knock warrants for drug charges, and I am proud that this bill does just that. But after we do, Black households will still own one-tenth of the wealth of White households. We must reform qualified immunity, and when we do, this pandemic will still take the lives and our jobs at staggering rates.

Let’s pass this bill, and then let’s keep going because there is much more work to be done to meaningfully address the many inequalities in health, education, economic status, justice, and safety that Black people in this country have faced for centuries.

At this pivotal moment in our Nation’s effort to confront its own history, I urge my colleagues to make choices that rise to the gravity of the situation and our responsibility to the American people. It is long past time to bend this arc towards justice in policing and beyond.

CONGRATULATING JULIA HAMBLEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today to congratulate Julia Hamblen of Shelbyville, Indiana, on her new role as Indiana FFA President.

A 2020 graduate of Shelbyville High School, Julia will be taking a gap year so she can serve as President of the Indiana FFA before attending Purdue University to study ag education.

Congratulations, Julia. You are a true role model to so many students and you are making the Sixth District proud.
WAKE UP, AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Mr. Speaker, what in the world is happening in our God blessed country? A lengthy pandemic decimating our economy and taking over 200,000 precious lives, followed by the horrific murder of Mr. George Floyd by a bad cop, leading to nationwide protests and demonstrations of people wanting to be heard.

Sadly, all of this has been oversimplified by the violence, looting, destruction, and lawless mayhem in America’s major cities.

We have even seen weak and feckless Democrat government leaders acquiesce to anti-American warlords setting up their own countries at the expense of residents and shopkeepers.

This is taking place under the influence of shadowy, anti-American organizations and individuals. We know who they are, so I will not distinguish them by saying the names.

America is awake and willing to address major concerns.

Despite the hundreds of heroic police officers who have been injured, paralyzed, or killed just doing their jobs for us, violent punks continue hijacking the sad event that began all this moment we grieve over. Their goal is to literally tear down and destroy our history and freedoms.

America is under attack. We must wake up before it is too late. These evil forces of destruction are showing us that we can’t stop them. Or can we?

John Witherspoon, a signer of the Declaration of Independence, said this: “...the public once equally poised, must either preserve its virtue or lose its liberty.”

I don’t know his position on slavery at that time, though even as a minister and President of Princeton, I am sure he had his flaws. Yet this message rings true as we view in live time our Nation’s loss of virtue and liberty.

The key purpose of government is to reward the doer of good and punish the doer of evil.

Whether in church parking lots, union halls, and back alleys or even in our own homes and schools, we must not be silent. Those who would destroy America are determined to implement the two greatest weapons of destruction: lies and fear.

Lies, by which we are told over and over that the police are racists and that they are killing our black citizens, when they have not, when the vast majority of black deaths are due to self-inflicted wounds.

Fear, by which we are told that there will be a wave of shootings and violent crime, when in many cities crime rates have gone down.

We will not be silent. This is America. You and I built this country. We will not let it be destroyed.

We must be unafraid of our history. We must hold the truth and teach our children about the history of America, the good and the bad. We must not be afraid to embrace the truth.

The days of the lies and the propaganda must end.

We must face the realities of our history and our present.

We must hold the truth.

We must embrace our history.

We must stand together.

We must be unafraid.

We must wake up, America.
While Republicans are offering workable and commonsense justice reform, the Democrat leadership digs in saying “no” to any negotiation. Yet they continue to support or remain silent about the senseless destruction of our cities and lives.

Chances are if you were to list the greatest Americans, you may think of George Washington, Teddy Roosevelt, and Ulysses Grant, men who have made tremendous positive impacts on our country, and in doing so, the entire history of humanity. Yet this week, enlightened leftists have gone after statues of these men, attempting to rewrite history and tarnish America’s overwhelmingly positive legacy for humanity.

As with other humans, these men are not perfect, but none of these monuments were erected to honor their shortcomings or faults; they were erected to honor their extraordinary contributions to society.

These men were responsible for some of the most important victories: freedom of speech, freedom of religion, the ending of slavery, victory over the Confederacy, and conservation of America’s greatest natural treasures.

Ironically, the rights these vandals and anarchists enjoy, like the right to assemble, would not be possible if not for the very men they ignorantly tear down.

Even the Lincoln Memorial was vandalized recently; the Great Emancipator, who was the first President nominated and elected by the party that they have directed all of their efforts to, would not be possible if not for the very men they ignorantly tear down.

Few in the Democratic Party have spoken out against these acts, which leads one to ask: What do these men, who take pride in America become an issue?

Is it because these anarchist acts are taking place in Democrat-run cities? Is it because these are the same people that they have directed all of their so-called antipoverty, social welfare, Big-Government-will-take-care-of-you programs toward? Or is it because Democrat leadership fears crossing the big-moneyed, sinister individuals and organizations masterminding radical societal change?

What exactly is the endgame of these attempts to erase and rewrite history? Could it be the destruction of the American idea or America itself?

I call for my colleagues, Democrat and Republican, and America-loving patriots to stand with me as proud Americans in our fight against anarchy and ignorance. May we be people who, with courage and humility, echo the words of our Framers in pledging “our lives, our fortunes, and our sacred honor” to defending and perfecting America.

ELEVATING VOICES OF BLACK LEADERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, the recent killings of George Floyd, Breonna Taylor, and Rayshard Brooks by police officers have highlighted the anguish and injustices that Black communities have experienced for generations; have shook our Nation to its core; and made evident, starkly, the racial injustice in our Nation.

As we watch the unrest, as we hear the pain, it is imperative we ask ourselves: What are we doing about it?

It is more important than ever that we have the difficult but necessary conversation at address racially targeted excessive use of force and racial profiling by who do not follow their own professional code of conduct. There must be dialogue. There must be a humble willingness to listen, reflect, and come to a change.

In the last few weeks, that is exactly what we have done in my district, in California’s 36th. Over the past few weeks, I held listening sessions and roundtables to elevate the voices and experiences of leaders in the Black community. They shared their stories, perspectives, and recommendations for change.

I also convened an important dialogue between African-American leaders and our local police chiefs. Our local police chiefs have come to the table with open ears and a willingness to be part of that change that we seek. These conversations were impactful and productive. We outlined next steps, steps like banning choke holds, expanding the use of body cameras, increasing transparency and accountability, increasing community engagement, and annual mental health wellness checks for police officers.

I am encouraged by the progress, and I look forward to the hard work that will lead to real change in our community, change that will move our community and Nation from internalizing despair to externalizing hope and action for change.

Supporting ACA Enhancement

Mr. RUIZ. Mr. Speaker, as an emergency physician, I have seen the faces of failed healthcare policies. I have looked into the eyes of the suffering when they couldn’t afford care. I have cried with families who have lost a loved one, knowing it could have been prevented with routine care if only they had health insurance.

Even now, I have gone into hard-to-reach and high-risk communities and personally conducd COVID-19 testing, watching how inequities and disparities play out in real time, seeing disproportionately higher rates of transmission and deaths in low-income, uninsured, Latino, farmworker, and the homeless communities.

As a physician and humanitarian, I find it unconscionable, repulsive, that during a global pandemic, while millions are infected by COVID-19 and millions more are unemployed and struggling economically, the Trump administration is actively working to repeal the Affordable Care Act through the Supreme Court.

Repealing the ACA would be a disaster, leading to millions of families facing financial hardships and many, many more deaths from COVID-19.

Repealing the ACA would eliminate protections for people with preexisting conditions, the same conditions that render a person more likely to die from COVID-19.

Repealing the ACA would take away health insurance from millions of Americans who, for the first time, have health insurance because of the Medicaid expansion.

It is precisely now that we need to lower healthcare premiums for middle-class families, encourage States to expand Medicaid, strengthen protections for preexisting conditions, and lower the cost of prescription drugs.

I support this bill for the people, and I will continue fighting for the people to make healthcare more accessible and affordable for the people.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Lord of all, thank You for giving us another day.

With the House back at the Capitol, we ask Your protection on them and all who work for and with them in their important work. The ravages of the coronavirus are spreading still in various sections of our Nation, sections from which Members have returned to gather here.

Bless and inspire those who labor to bring treatments and cures to those suffering from and threatened by COVID-19.
In these days, pour forth Your spirit of wisdom and insight that Members from all the corners of our country can find reform solutions for peacekeeping in our communities. Americans everywhere that know that love and respect, rather than fear and force, must be the basis of our commonwealth.

Bless the people’s House, collectively and each Member, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 4(a) of House Resolution 967, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Virginia (Ms. WEXTON) come forward and lead the House in the Pledge of Allegiance.

Ms. WEXTON led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

POLICE REFORM

(Ms. WEXTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WEXTON. Mr. Speaker, the horrifying murder of George Floyd awoke the conscience of America to a generations-old system of racial injustice. Since then, Americans—led mostly by young people—in all 50 States and in every part of my district have taken to the streets to demand action, and that gives me hope.

The Justice in Policing Act is an important step towards real change. This bill will implement meaningful reforms to increase transparency and accountability in policing: banning chokeholds, stopping no-knock warrants, establishing new standards for policing, combating racial profiling, reforming qualified immunity, and much more.

As a former prosecutor and defense attorney, I have witnessed firsthand the unequal application of justice toward Black Americans, and I know more needs to be done. But the Justice in Policing Act provides concrete legislative solutions that will help reform a deeply unequal system of policing right now.

I urge my colleagues on both sides of the aisle to support this bill today.

What are we witnessing is a once-in-a-generation call to action. Let’s not fail to answer the call.

KALEB FARMERY ACADEMY NOMINATION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Kaleb Farmery of Marion Center, Indiana County, Pennsylvania, for accepting a fully qualified appointment to the United States Air Force Academy.

Kaleb is the son of Wyatt and Jessica Farmery and a senior at Marion Center High School. During his time in school, Kaleb was involved with the Air Force Junior ROTC and Future Business Leaders of America.

Kaleb is a salutatorian of his senior class. Throughout his time in school, Kaleb has served as class president, a senior patrol leader in the Boy Scouts, and as both a chapter and region president of FBLA.

Kaleb has committed his time as a student to service and academic excellence. His drive and determination will serve him well as he embarks on this exciting new chapter with the United States Air Force Academy.

COVID-19 IN PENNSYLVANIA NURSING HOMES

(Mr. SMUCKER asked and was given permission to address the House for 1 minute.)

Mr. SMUCKER. Mr. Speaker, I rise today to ask for answers from Pennsylvania’s Governor Tom Wolf and his administration allowed COVID-19 to spread like wildfire in Pennsylvania’s nursing homes, long-term care and assisted living facilities, and answers as to why his administration allowed COVID-19 to spread like wildfire in Pennsylvania’s nursing homes, long-term care and assisted living facilities, and answers as to why his administration allowed COVID-19 to spread like wildfire in Pennsylvania’s nursing homes, long-term care and assisted living facilities, and answers as to why he required these facilities to admit patients who tested positive for COVID-19 but couldn’t be quarantined from healthy residents.

Far too many Pennsylvania seniors have died, tragically, to date, 4,761 from COVID-19. Sixty-eight percent of all deaths in Pennsylvania have occurred in these facilities.

It didn’t need to be this way. Forty-five States took a far different approach.

To make matters worse, at the same time as the Pennsylvania Department of Health was enforcing this order, the Secretary of Health, Dr. Rachel Levine, had her mother removed from a personal care home and had her checkered into a hotel.

Now Governor Wolf and his administration are choosing to ignore my colleagues who are members of the House of Representatives Select Subcommittee on the Coronavirus Crisis. The committee sent a letter asking for answers to these questions.

I ask the Governor to address this letter. It is important for the residents of Pennsylvania, who deserve an answer.

POLICE REFORM

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

Mr. WILSON of South Carolina. Mr. Speaker, as America has been shocked at the murder of George Floyd in Minneapolis, I agree with Governor Andrew Cuomo of New York that 99.9 percent of police are dedicated public servants.

Reaffirmation of appreciation of law enforcement has been provided by Senator Tim Scott with the Just and Unifying Solutions to Invigorate Communities Everywhere, JUSTICE, Act. This reform legislation will provide more resources and de-escalation training.

Senator Scott has correctly identified that the police department is a part of our community. I am grateful to cosponsor the House companion legislation, led by Congressman Pete Stauber, a veteran police officer.

Now is the time for Republicans and Democrats to work together to restore trust in our police and reduce divisions which destroy families.

In conclusion. God bless our troops, and we will never forget September the 11th in the global war on terrorism.

I am grateful to Chief Andrew Richburg and Chief Dennis Tyndall.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1154

Mr. GALLEGOS. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 1154.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona? There was no objection.

CONGRATULATING DR. RICHARD MICHEL

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Mr. Speaker, I rise today to congratulate Dr. Richard Michel of Marks Ville, Louisiana, on his retirement after 60 years of service to his community.

Dr. Michel spent much of his career serving as both a doctor and as mayor, which earned him the title of Doctor Mayor. He was valedictorian of his high school class and attended LSU Medical School before joining the Air Force in 1957.

A cattle rancher in his spare time, Dr. Michel found himself in a hospital bed after breaking two vertebrae in his back in 1976. This was when he decided to run for public office. He was elected mayor of Marksville in 1978 and served before leaving office. In 1998, he ran again to serve another three terms, for a total of 28 years as mayor of Marksville.
HAPPY BIRTHDAY, BELLA
(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, 2020 was a big year for a young lady who lives six houses from me. Her name is Isabella Johnson, Bella, to friends.

Bella had a special birthday in April. She was going to be 10 years old, but her plans for her 10th birthday changed dramatically when her school closed because of the COVID–19 pandemic crisis.

Now, her birthday may have only been with a few friends at her home—Bella is okay with that—but her mom, Juli; dad, Andy; family; and friends would not let that suffice. They would not let COVID–19 mar Bella’s special day.

So around 5 o’clock on April 20, they started lining up on the street outside of my house. Then the signs came out, the horns started honking, and a parade of 30 cars crawled by Bella’s house.

Bella was full of joy, as you can see. Happy, happy, happy 10th birthday, Bella. We all love you.

HONORING LESLIE LAMAR WILKES, JR., MD
(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember and honor the life of Dr. Leslie Lamar Wilkes, Jr., who went to be with the Lord on April 4.

Les and I attended church together at Wesley Monumental United Methodist Church in Savannah, Georgia, and he was always a devoted member who took every opportunity he could to serve for over 40 years.

He was born and raised in Georgia and eventually received his MD degree from the Medical College of Georgia in 1965, before becoming a surgeon for the U.S. Navy.

Dr. Wilkes was an amazing person with a true passion for the medical field, being one of the first surgeons in Georgia to perform arthroscopic knee surgery and, in all, all in, performed about 15,000 operations.

He received numerous accolades throughout his life, including the Savannah Award; Outstanding Community Service Organization, and the Georgia Medical Society awarded him the Health Care Hero Award in 2010 as well as the Lifetime Achievement Award in 2012. He was active in various medical organizations as well as community service organizations, like the Savannah Rotary Club.

Dr. Wilkes embodied what it means to be a steadfast and humble servant. He used every area of his life to help others, including his patients, community, fellow church members, friends, family, and his country.

His family, friends, and all those impacted by him will be in my thoughts and prayers during this most difficult time.

RECOGNIZING COLONEL BRIAN LAIDLAW
(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Mr. Speaker, I rise today to recognize an exceptional Air Force leader for his outstanding service. Colonel Brian Laidlaw is the commander of the 325th Fighter Wing at Tyndall Air Force Base.

In 2018, as Hurricane Michael descended on us, Colonel Laidlaw accomplished the evacuation of Tyndall Air Force Base in just 22 hours. His decisive leadership saved over 11,000 airmen, their families, and over $2 billion in Air Force assets.

Colonel Laidlaw personally forged the ‘base of the future’ vision for rebuilding Tyndall to the President of the United States. For his outstanding leadership, the Air Force Association awarded him the Waterman Award for the single most significant contribution to the Air Force during the past year.

Colonel Laidlaw reflects the highest standards of leadership and conduct and is a credit to the United States military. I wish him and his family the best of luck as they proceed to their next assignment.

□ 1015

PROVIDING FOR CONSIDERATION OF H.R. 51, WASHINGTON, D.C. ADMISSION ACT; PROVIDING FOR CONSIDERATION OF H.R. 1425, STATE HEALTH CARE PREMIUM REDUCTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 3226, PROTECTING YOUR CREDIT SCORE ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 7210, GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020; PROVIDING FOR CONSIDERATION OF H.R. 7301, HOUSING PROTECTIONS AND RELIEF ACT OF 2020; PROVIDING FOR CONSIDERATION OF H.J. RES. 90, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY OFFICE OF THE COMPTROLLER OF THE CURRENCY RELATING TO “COMMUNITY REINVESTMENT ACT REGULATIONS”; AND FOR OTHER PURPOSES

Mr. HASTINGS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1017 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1017

Providing for consideration of the bill (H.R. 51) to provide for the admission of the State of Washington, D.C. into the Union; providing for consideration of the bill (H.R. 1425) to amend the Patient Protection and Affordable Care Act to provide for a Improve Health Insurance Affordability Fund to provide for certain reinsurance payments to lower premiums in the individual health insurance market; providing for consideration of the bill (H.R. 3226) to amend the Fair Credit Reporting Act to ensure that consumer reporting agencies provide fair and accurate information reporting in consumer reports, and for other purposes; providing for consideration of the bill (H.R. 7120) to allow enforcement for misconduct in court, improve transparency through data collection, and reform police training and policies; providing for consideration of the bill (H.R. 7301) to prevent evictions, foreclosures, and unsafe housing conditions resulting from the COVID-19 pandemic, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 90) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to “Community Reinvestment Act Regulations”; and for other purposes.

That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 51) to provide for the admission of the State of Washington, D.C. into the Union. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–55, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform; and (2) one motion to recommit with or without instructions.

Sec. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1425) to amend the Patient Protection and Affordable Care Act to provide for a Spending Responsibility and Relief Fund to provide for certain reinsurance payments to lower premiums in the individual health insurance market. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, an amendment is substituted consisting of the text of Rules Committee Print 116–56, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) three hours of debate equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and Labor, Energy and Commerce, and Ways and Means; and (2) one motion to recommit with or without instructions.

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SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5332) to amend the Fair Credit Reporting Act to ensure that consumer reporting agencies providing fair and accurate information reporting in consumer reports, and for other purposes. All points of order against consideration of the bill are waived. The amendment recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and a motion to recommit, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 4. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7120) to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part D of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 5. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7301) to prevent evictions, foreclosures, and utility disconnections for failure to pay charges for rental, utility, or other services during the period beginning on the calendar day of July 19, 2020, and ending on the calendar day of July 31, 2020, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 6. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 90) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to “Community Reinvestment Act Regulations”. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 7. The provisions of section 125(c) of the Uruguay Round Agreements Act shall not apply during the remainder of the One Hundred Sixteenth Congress. For H.R. 7301, the rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

For H.J. Res. 90, the rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule provides one motion to recommit for each measure.

SEC. 8. The amendment in the nature of a substitute recommended by the Committee on Education and Labor, Committee on Energy and Commerce, and Committee on Ways and Means, and self-executes a manager’s amendment.

For H.R. 1425, the rule provides 3 hours of debate equally divided among and controlled by the chairs and ranking minority member of the Committee on Education and Labor. I yield myself to the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Georgia (Mr. WOODALL), my friend, pending which I yield myself to the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks. The previous question is discharged.

Mr. Speaker, during consideration of this resolution, all time yielded is for purposes of debate only.

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Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks. The previous question is discharged.

Mr. Speaker, during consideration of this resolution, all time yielded is for purposes of debate only.
The District is overwhelmingly one of people of color, and the residents have, for years, vociferously, with over 80 percent voting in the affirmative, called for D.C. statehood.

Over 700,000 Americans live in Washington, D.C. They pay Federal taxes, but do not have a say in this Chamber or the upper Chamber on how those dollars are spent. Residents of the District register for, and are subject to, the draft but have no voice in this Chamber as to whether we should declare war.

Indeed, the District has sent 200,000 brave men and women to fight for the ideals and benefits of a democracy they are denied here at home—2,000 of those gave the ultimate sacrifice, and we will never forget them.

I really is a tribute to ELEANOR HOLMES NORTON that she has continued this fight on behalf of her constituents.

The Supreme Court and the Federal bench in general render judgment after judgment that limit or expand the rights of D.C. residents, yet they are denied the right to elect the Senators who will decide these judgments. Others will make the argument more fully today. They will note the constitutional, legal, and moral evidence that clearly and convincingly makes the case for statehood.

But I would be remiss to let go unsaid the following, having gone to school in the District of Columbia at Howard University, from being the birthplace of Duke Ellington, the hotspot of jazz innovation for decades, Chuck Brown and go-go music, to the District’s role in the civil rights movement, going way back with some to Cecilia’s and Faces, to Ben’s Chili Bowl and the Florida Avenue Grill, let us mute D.C. no more. Let us be about the business of expanding liberty today and pass HR 51.

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

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume. I want to thank the gentleman from Florida, not just for yielding the time, but for his friendship over these 10 years that I have had the honor of serving here.

Mr. Speaker, he may not remember because he is just the kind of man that he is. I was assigned to the Rules Committee back in 2011, there were four Democrats on the Rules Committee and four freshman Republicans on Rules Committee. And Mr. HASTINGS came over to the four of us who were sitting on the Republican side of the aisle, introduced himself, and offered his advice and his counsel.

He told us we were in for quite a treat, being on the Rules Committee, and he, of course, was absolutely right about that.

I have made a lot of bad decisions in Congress, and I have made a lot of good decisions in Congress. Accepting Mr. HASTINGS’ hand of friendship early on in this tenure and having been the beneficiary of his mentorship over these 10 years in Congress has been one of the best decisions that I have made. I am grateful for him for doing that.

Mr. Speaker, we have six bills wrapped up in this rule today. I have the 30 minutes that the gentleman from Florida yielded me. That gives me 5 minutes to talk about racial justice, 5 minutes to talk about a new State to the Union, 5 minutes to talk about reassigning a half a trillion dollars in healthcare spending from one pot to another, and on and on.

We are not going to be able to have that conversation today, and I understand that, because this is our first day back in the month of June. This is the first voting day the United States Congress has had in the month of June. So, we have a lot of things to do.

By separating these bills up into different rules, the Members all know that means having to come back down here for another round of votes. So I don’t fault the Rules Committee, as I sometimes might, for stuffing so many things into this provision.

But I will say, Mr. Speaker, that I am surprised that we are back, in all kindness and respect to the gentleman from Florida reflected on, for our first voting day in June. The bills we have before us are bills that, if they moved through committee at all, moved through with absolutely no Republican amendments accepted, and then the Rules Committee made absolutely no Republican amendments even available for consideration here on the floor.

The crises the gentleman from Florida recognized are real. The solutions to those crises are generally found in partnership and consensus, and we find none of that in the underlying rule today.

For that reason, I am going to ask my colleagues to reject the rule. It is not a reflection on the merits of the underlying issues. The merits of the issues are real. But the opportunity to solve those issues comes with passing legislation, not just in the House, but also through the Senate, having the President’s signature put on that, or overriding a veto here in the House.

We don’t have the process that allows us to build that consensus before us today. It is a shame because I know we now have been working remotely on legislation over these past weeks. I would have expected partnership and consensus bills to be the order of business today, instead of the take-it-or-leave-it bills we have before us.

Mr. Speaker, I mentioned that there are six bills before us. That half-trillion-dollar healthcare bill I mentioned is actually a compilation of 24 separate bills that have all been rolled together into one.

We are not going to put these bills on the President’s desk. We are not going to have these bills considered in the Senate. We will most certainly pass these bills out of the House today. All of us who ran seeking solutions, as opposed to seeking statements, are going to be disappointed by this process.

Mr. Speaker, my friend from Florida talked about things that were worthy of this institution. I recognize the efforts that have gone into crafting this legislation. From the Delegate from the District of Columbia, ELEANOR HOLMES NORTON, and the work she has done on D.C. statehood over the years, to the leadership of Representatives Bass and the Congressional Black Caucus on putting together a criminal justice police reform bill, the effort that has gone into here is unquestioned. It has been done with all the best of intentions.

It is the partnership that has been lacking, and it is my great hope—because I know what we do today is not going to be the end of any of these processes; it is only going to be the beginning. We cannot reach the President’s desk and a signature and the law of the land that we all seek by ignoring one another. We can only do it by engaging one another.

I do believe that this process is not worthy of the institution because, by definition, it leaves out hundreds of Members and millions of Americans who want to participate in this.

I am encouraged, as we talked through this in the Rules Committee, certainly, as we talked about our differences, we learned a whole lot about things that we have in common, not just on criminal justice reform, not just on D.C. statehood, not just on healthcare, but across the board, where we can come together and make a difference for those constituents that we serve.

I tell my colleagues, please vote “no” on the rule today because we have a chance to go back and do these in partnership right now. But should these bills pass the House today, we will still have a partnership opportunity coming forward.

I hope that folks will not harden their positions today, having gone through a partisan beginning. We all seek successful conclusions. Those will only be done together.

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

Mr. HASTINGS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), a distinguished member of the Rules Committee and my friend.

Ms. MATSUI. Mr. Speaker, I rise today in support of the rule for the George Floyd Justice in Policing Act. I stand with those across the country who have lifted their voices, shared their pain, and called on us to enact meaningful change.

With the comprehensive reforms of this legislation, we seek to fundamentally shift our Nation’s failed approach of policing, an approach that, for especially Black and Brown communities and other communities of color, assumes guilt and normalizes racial profiling.
We cannot remain complicit in a system that systematically oppresses people of color. We must acknowledge our repeated failures and proactively reinvest in community-based training programs.

There has been plenty of time for discussion. Today, we finally take a step forward.

My district of Sacramento is all too familiar with this pain. We are still mourning the death of Stephon Clark. There are others we have mourned whose families still seek justice. Yet, the resounding response of our community is wonderful. People of all races, ages, and backgrounds have marched side-by-side with a united voice to tell the Nation that we can and must do better.

The George Floyd Justice in Policing Act is a step toward building trust between law enforcement and our communities.

Throughout this legislation, we will ban the use of deadly techniques like the chokehold and no-knock warrants.

We will end the Pentagon’s program of giving local police departments military-grade weapons. The contrasting images of MRAP vehicles overrunning peaceful protestors has no place in America.

We will create new thresholds of transparency, and we will require accountability. We will end qualified immunity that has prevented change in police departments throughout this Nation, and we will streamline Federal law to prosecute excessive force.

America continues to find ways to right our historical wrongs. Together, we must fight for a more equitable future. This legislation is a positive step toward a safer, more equal, and more just America.

I look forward to supporting this bill and others provided by this rule.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BURGESS), who serves on the Rules Committee.

Mr. BURGESS. Mr. Speaker, let me just say, to start. I don’t often agree with my colleague from Florida, Mr. HASTINGS, but I find myself in agreement with him on two points this morning. One was his eloquent praise for the gentleman from Georgia, and we will indeed miss his eloquence here on the floor. It is always hard to follow the gentleman from Wisconsin (Mr. POCAN), whom I frequently do in the Rules Committee, because he is able to speak so clearly on an issue.

Another point I would agree with the gentleman from Florida on is that we did spend a long time in the Rules Committee yesterday. It was a marathon hearing, but it was important because so many of these things had had no hearing and no chance for debate in the so-called regular order.

About 70 percent of the bill, H.R. 1425, the Police Reform and Affordable Care Enhancement Act, which, as the gentleman from Georgia points out, allocates a significant sum of money to the Affordable Care Act in order to save the Affordable Care Act, something that is now over a decade old. It is a sign that the law has failed and failed to provide for Americans as it was originally described.

The House Republican alternatives should be leading at this time of crisis. We shouldn’t be making a halfhearted attempt to fix a broken law as a present for its 10th birthday, and we certainly shouldn’t do that without the proper work from the authorization committee, the Committee on Energy and Commerce.

Last fall, before we could have ever predicted the emergence of this novel coronavirus, we debated a proposal here on this House floor. It was called H.R. 3. It was a Speaker’s proposal that would require the government to set drug prices. In the consequence, if American innovation was a casualty of that, then that was judged to be acceptable collateral damage toward their political goal. But it was a bad bill; it was the wrong time.

Unfortunately, some of those very same policies have found their way and have been intruded into this bill. In fact, I very much regret that such policies would have any consideration during this pandemic.

Let’s be very clear: American biomedical innovation in the form of new treatments and cures is going to lead us to victory over this novel coronavirus. We will beat this virus. We always do. We will emerge on the other side victorious. But one of the paths to that victory is American innovation, American biomedical innovation, American pharmaceutical innovation.

A vote for this bill today is a vote against a cure for the novel coronavirus. A vote for this bill today is a vote against a vaccine to prevent this or future illnesses.

If this body wants to make an impact on drug prices, there are ways to do that. We could sit down—in fact, our ranking member of the full committee, Mr. WALDEN, has a bill, H.R. 19, which has a number of bipartisan proposals, which means they have both a Republican and a Democratic cosponsor, and it does so in a way that doesn’t harm innovation.

So what does this bill do to States?

Well, it really hurts States when they can’t tell you specifically what it must know right now. In fact, we should be helping, not hurting, the States.

The bill before us today would reduce States’ administrative FMAP if they do not expand Medicaid. Punishing States in this way would further hurt State budgets that are already being pushed to the limits.

So many of us remember the Supreme Court case in 2012, the case titled National Federation of Independent Business v. Sebelius. The Court ruled that threatening States’ Medicaid funding for not having expanded that program, is, in fact, unconstitutional.

Sections 201 and 205 of this bill would violate the same principles and coerce States, rather than incentivize States, into expanding Medicaid. This bill will actively damage State Medicaid programs like those in Texas.

H.R. 1425 also wastes taxpayer dollars on Affordable Care Act outreach and enrollment and navigators that have already been proven to not have a high return on investment.

It is one thing if they want to improve policies, but let’s not go back to bringing policies back from the dead that, in fact, are not working.

The SPEAKER pro tempore. The time of the gentleman from Georgia, Mr. BURGESS, is entitled to an additional 1 minute to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Lastly, this bill fails to protect life. The bill establishes a Federal reinsurance fund. This reinsurance fund is for individuals in ACA exchange plans. The fund is fiscally irresponsible. It is $10 billion a year forever, so we don’t even know what the final CBO score is. But it also does not include longstanding Hyde protections and, therefore, fails to ensure that Federal dollars would never be used to pay for abortions.

The Energy and Commerce Committee has worked in a bipartisan way this Congress on numerous policies that would make a real difference in American healthcare. It is disappointing that the Democratic leadership is pushing this partisan proposal ahead of providing Americans with real support.

Mr. Speaker, I thank the gentleman from Georgia for his kindness.

Mr. HASTINGS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, look, I care deeply about the police, the law enforcement investments. That is why, you know, I would like to have the police called on you at your home or a friend’s house or a business simply because of the color of your skin.

I can’t tell you personally what it must feel like to know that just because of your race, you are significantly more likely to get killed by police simply by encountering them.

But all of these mere facts should bring rage to all of us. We must rethink public safety in America. We shouldn’t be responding with violence just because they can. And unfortunately, impunity has empowered a militarized police force.
The ugly reality is, we have a criminal justice and policing system that disproportionately targets and kills Black people. And when a system isn’t performing for the people it is supposed to serve, it is time to fix it. In fact, it is time for change to qualified immunity for law enforcement officers.

Today, we can do more than just give lip service to the words “Black Lives Matter.” We can give those words meaning. We do that by passing the Justice in Policing Act today.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentlewoman from Arizona (Mrs. LESKO), a Rules Committee member and a distinguished leader on the Judiciary Committee.

Mrs. LESKO. Mr. Speaker, all of us—all of us—believe what happened to George Floyd was horrible, and justice must be served.

Bad cops that do bad things must be held accountable. I have listened to Blacks who have been discriminated against, and I believe discrimination is real.

Congressman HASTINGS yesterday, in the Rules Committee, shared with us things that had happened to him, things that happened to people he knew, and it was horrible. We can’t let those types of things continue in our society.

But I also know that the vast majority of law enforcement officers are good people, good people doing good things, helping people in the community, and protecting our communities.

I think it is really important that we address the problems we are having in our Nation in a bipartisan fashion, because this is so important. America needs to heal.

Unfortunately, the bill before us today, part of the rule and the policing bill, was not negotiated with Republicans. So there are portions of the bill that I support, that other Republicans support, and that I believe President Trump would support and sign into law. And there are portions of the bill that I cannot vote for, nor can other Republicans.

The reason is because I have spoken to a wide variety of law enforcement officers and police chiefs. They have all said that there are portions of this bill that would undermine their ability to do their job in protecting our communities.

I would like to read a portion of a letter that we received from the National Association of Police Organizations that oppose the underlying bill, H.R. 7120, in this rule. It says:

Our most significant concerns include amending section 242 of title 18, United States Code, to lower the standard for mens rea, and the practical elimination of qualified immunity for law enforcement officers. Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just criminal acts. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. It is essential that we believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.

This organization represents 241,000 sworn law enforcement officers.

The other law enforcement officers I have spoken to, and chiefs, said they were overwhelmed by problems of police behavior in this bill. Specifically, the banning, outright banning, on chokeholds and carotid holds.

In Arizona, it is used as a last resort, a lethal force, and that is what is in the Senate bill. In this bill, it outright bans it. The police officers have said: Don’t take that option off the table because if you take that option off the table, we will be forced to shoot someone, which I believe is the opposite of what we want to do.

Also, eliminating no-knock warrants, the officers want you to know that no-knock warrants have to go through a court, that they have to go through a judge, and that, often, they are used when going after drug cartels that are heavily armed and they need the element of surprise. So banning them would possibly hurt law enforcement officers, and the drugs would be taken away.

They also were concerned about the outright banning in this bill of law enforcement agencies getting surplus military equipment at little or no cost. They say they don’t use this equipment to ride down the roads, you know, like showing military force. In Arizona, they often use equipment when there are flash floods, and they need to rescue people or need to clear roads.

So, it is disappointing that we can’t have a bipartisan bill in front of us today. I hope we can. They didn’t talk to Republicans on the bill, that I am aware of, and the Democrats in the Judiciary Committee voted down all of our amendments.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. WOODALL. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Arizona (Mrs. LESKO).

Mrs. LESKO. Particularly, I had an amendment that said if a city allows an autonomous zone, like what is happening in Seattle, they can’t get law enforcement grants from the Federal Government. It seems common sense. They voted it down.

I had another amendment that said if a city wants to defund, dismantle, disband police, they shouldn’t get Federal law enforcement grants. That is just wrong.

So I call on all Members, all Members on both sides, to speak out against the violence that is happening in our streets, the violence, the tearing down of statues, statues of Ulysses Grant, who was with the Union, statues of religious figures. This is wrong. Stop the dismantling, defunding calls for police. Stop the looting. It is not peaceful protest when that happens.

Let’s work on a bipartisan bill and get something real done.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the distinguished chair of the Committee on Rules and my friend.

Mr. MCGOVERN. Mr. Speaker, there are many timely measures in this bill to strengthen our healthcare system; help people stay in their homes; modernize our credit reporting system during this COVID-19 pandemic; protect our civil right laws; and, finally, give full representation to Washington, D.C., so that no President can ever again send in Federal troops to crack down on peaceful, constitutional speech. Each one responds to the urgent needs of the American people during this unprecedented time.

But there is one measure in particular here that I want to focus on that is a direct result of public pressure, the George Floyd Justice in Policing Act. Americans of all backgrounds have been taking to the streets in unprecedented numbers with a single refrain: Black Lives Matter.

People are demanding an end to police brutality, not encouraging an end to it, not recommending an end to it, but, finally, demanding an end to it once and for all.

That is what H.R. 7120 is all about, fixing the broken status quo that has allowed racial injustice and police brutality to continue year after year after year. It is about damned time.

I would never presume to know what it is like to be Black in America today, but I have seen injustice in my own State. I have held grieving community members. I have marched with those calling for change. I have heard their pain.

True allies do more than listen, Mr. Speaker. They take action.

Now, no one at all is suggesting that all police officers are racist and break the law. But the sad reality is that if you are Black in America today, you are three times more likely to be killed by the police compared to a White person. Yet, it is the exception, not the norm, when a bad cop commits a crime are brought to justice.

There are systemic problems here that require systematic solutions.

Now, I am not naive, Mr. Speaker. This bill alone will not end racism in America. We have so many issues that must be addressed for that to happen. So many communities in Black America aren’t getting the investments that they need today. But this bill is an important step forward, and I encourage all my colleagues to listen to the voices of those demanding change right now.

This is what we were sent here to do, Mr. Speaker, to act on behalf of the people we represent.

While our Constitution begins with the words “We the People,” that didn’t include all the people when those words were written. It included people who looked like me. But by expanding the reach of our democracy and looking to what’s more just and fair for everyone, we have gotten one step closer to achieving the promise of America for all people.
That is what this bill is about. I urge all of my colleagues to support it.

Mr. WOODALL. Madam Speaker, if we defeat the previous question, I will amend the rule to provide for consideration of H. Res. 1023, a resolution by Mr. STEUBE.

Madam Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. JORDAN), the ranking member and one of the great advocates on our side of the aisle.

[25x20]

Mr. JORDAN. Madam Speaker, I thank the gentleman from Georgia for yielding.

I, too, want to urge a “no” vote on the previous question so we can address Mr. STEUBE’s resolution and hopefully pass Mr. STEUBE’s resolution, a resolution which is very basic, has four basic components to it:

Justice for George Floyd’s family. What happened in Minneapolis we all know was a tragedy and never should have happened, wrong as wrong could be, and George Floyd’s family deserves justice, and our resolution calls for that.

It also calls for justice for police officers and others who have suffered violence, police officers like Patrick Underwood, who, along with George Floyd’s brother, Patrick Underwood’s sister came and testified just 2 weeks ago in front of the Judiciary Committee, serving his community as a law enforcement officer, attacked and killed.

The resolution that would happen if we vote “no” on the previous question also condemns all violence and the creation of autonomous zones. There is a big difference between peaceful protest, exercising our First Amendment liberties guaranteed to us under our great Constitution, the greatest constitution ever, there is a big difference between peaceful protest and rioting. There is a big difference between peaceful protest and violence. There is a big difference between peaceful protest and attacking police officers. And there is certainly a big difference between peaceful protest and forming CHAZ or CHOP or any type of autonomous zones separating from our great country. This resolution condemns that kind of practice, as well.

And, finally, our resolution strongly opposes what I think is one of the craziest public policy proposals I have ever seen, this idea that we are going to defund the police. You know, it is funny because I hear some Democrats say defund the police doesn’t mean defund the police. Well, change the sentence. It is three words. That is exactly what it means.

Our biggest cities, the mayor of New York, de Blasio, has already said he is going to defund the police a billion dollars. He got rid of the plainclothes unit in their department.

Garcetti, the mayor of our second largest city, said he is going to defund the police $150 million.

Baltimore, Hartford, Minneapolis, they went a step further. Minneapolis, the supermajority of their city council—it is interesting to point out, 13 people on the city council, guess how many of them are Republicans? Twelve Democrats—well, excuse me, 12 on the city council, I think. No, that is right. NORTON, Democrats, and Green Party. They have already decided they are going to abolish the police department.

This is crazy. Let’s vote “no” on this previous question. Let’s bring up a resolution that I think is consistent, where American values are consistent with the problems we face, consistent with the serious situation we are in. Let’s vote “no” on the previous question.

I will finish with this, Madam Speaker.

We had a witness the last couple weeks in two different hearings, a Judiciary hearing and then an Oversight hearing. Dan Bongino, former NYPD, Secret Service, protected Presidents Clinton, Bush, Obama, worked in the NYPD, worked in the neighborhood in Brooklyn, he talked about if you do this, if we allow this concept, this defund the police concept to happen, to take root and to actually take place, it will not only affect police officers—we all know that—but the communities they serve. What will happen there is frightening.

So I urge a “no” vote on the previous question. Let’s take up the Steube resolution.

Mr. HASTINGS. Madam Speaker, I take notice that the Speaker pro tempore has changed, and I am very pleased that one of the leaders of the legislation that we are taking up today is now serving as Speaker pro tempore.

Madam Speaker, I yield 2 minutes to the gentleman from the District of Columbia (Ms. NORTON), whom I have known all of my career and consider a friend and mentor.

Ms. NORTON. Madam Speaker, I thank the gentleman for yielding. I didn’t know until he indicated he had gone to Howard University here; that is just another plus mark because he has already got a lot of pluses as far as I am concerned.

Madam Speaker, the rule before us for the D.C. statehood bill is no ordinary rule. It is the prelude to the passage of a historic bill, and I use those words advisedly. For the 219 years since the Constitution was first be come the capital of these United States, countless bills that have deeply affected D.C. residents have been enacted not only without their consent, but without their participation.

Indeed, for the greater part of the existence of the National capital, there was neither representation in either the House or the Senate nor even the right of District residents to govern themselves locally, Local home rule.

In other words, the residents of our Nation’s capital were excluded entirely from American democracy for most of its existence as the capital. Nevertheless, D.C. residents have always paid the same Federal taxes as other Americans, today ranked number one in Federal taxes paid, and have fought in all of the Nation’s wars, including the war that created the United States of America.

Throughout its existence, the country has flattered itself by saluting itself as a democracy. With the passage of this rule and then the D.C. statehood bill, that flattery at least will be deserved.

The SPEAKER pro tempore (Ms. BASS). The time of the gentlewoman has expired.

Mr. HASTINGS. Madam Speaker, I yield the gentlewoman from the District of Columbia an additional 30 seconds.

Ms. NORTON. Madam Speaker, I speak of the flattery we give ourselves of democracy here and around the world. With the passage of this rule and of the D.C. statehood bill, that flattery at least and at last will be deserved.

Mr. WOODALL. Madam Speaker, I would say to my friend from Florida, I don’t believe we have any further speakers coming to the floor, so I will reserve the balance of my time and we can close.

Mr. HASTINGS. Madam Speaker, would you be good enough to tell both sides how much time we have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 11 1/2 minutes remaining. The gentleman from Georgia has 8 1/2 minutes remaining.

Mr. HASTINGS. Madam Speaker, I yield 2 1/2 minutes to the gentlewoman from California (Mrs. TORRES), my good friend and distinguished member of the Rules Committee.

Mrs. TORRES of California. Madam Speaker, with one word—one word—George Floyd spoke to the conscience of this Nation in a way that countless others for justice were met with deaf ears before.

When George Floyd called out, “Mama, Mama,” he activated every mother who saw that horrible video. We saw our own child with a police officer’s knee on their neck. We saw our own child being murdered slowly, painfully.

As someone who spent 17 1/2 years as a 911 dispatcher for LAPD telling people, “Don’t worry. It will be okay. The police are on their way,” as someone with that background, my disgust is palpable for any police officer who would harm the very same people they have sworn to protect.

This was not an isolated incident. We don’t have just a few bad apples. We know the names of Breonna Taylor, Ahmaud Arbery, Philando Castile, and Michael Brown because George Floyd was far from the first. And we know Rayshard Brooks name because George Floyd is far from being last.

Indeed, for the greater part of the existence of the nation’s capital, there was neither representation in either the House or the Senate nor even the right of District residents to govern themselves locally, Local home rule.

As someone who spent 17 1/2 years as a 911 dispatcher for LAPD telling people, “Don’t worry. It will be okay. The police are on their way,” as someone with that background, my disgust is palpable for any police officer who would harm the very same people they have sworn to protect.

This was not an isolated incident. We don’t have just a few bad apples. We know the names of Breonna Taylor, Ahmaud Arbery, Philando Castile, and Michael Brown because George Floyd was far from the first. And we know Rayshard Brooks name because George Floyd is far from being last.
excessive force has an avenue for recourse. It creates a national police misconduct registry to track officer misconduct. It improves training and practices to make sure that officers are properly prepared for the situations that we ask them to address, and much more.

I commend my colleagues for delivering this bill, and I thank Chairman NADLER for working with me to strengthen the misconduct registry included in it.

We need a long way to go as a country to heal the wounds that cut back for generations. The Justice in Policing Act is an important first step. I look forward to seeing it passed today and to the many steps that will follow in the march for justice.

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

Mr. HASTINGS. Madam Speaker, I yield 1 minute to the distinguished gentleman from Connecticut (Ms. DeLAURO).

Ms. DeLAURO. Madam Speaker, I am proud to stand with Members of the House and Senate leadership and members of the Congressional Black Caucus to introduce the George Floyd Justice in Policing Act. I am proud to be an original cosponsor of the legislation.

This legislation is a timely, critical, bold, and transformative start to addressing the issues millions of Americans have been protesting about. I believe we also need to reorganize funding activities for law enforcement in a way that works to bring police and communities closer together, not further apart.

We must also change our laws to enable swift action to prosecute misconduct by police officers, improve training and transparency, and create a national use of force standard for police who are charged to protect and serve our communities, all of which are included in the George Floyd Justice in Policing Act. We owe it to those who have died and those who have honored them.

So let us vote “yes,” and let us vote to continue working on these critical issues.

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

Mr. HASTINGS. Madam Speaker, yesterday, before we began our proceedings in the Rules Committee, I asked my good friend if he would speak on this rule. It is for the reason that I consider him one of the preeminent constitutional scholars in this institution that I made that request.

I yield 3 minutes to the gentleman from Maryland (Mr. RASKIN), a distinguished member of the Rules Committee and my good friend.

Mr. RASKIN. Madam Speaker, I thank the gentleman for yielding.

In “Leaves of Grass,” Walt Whitman wrote that “the United States themselves are essentially the greatest poem.” So each of our States is like a stanza, a line in the remarkable and always unfinished American poem, a lyrical whole far greater than the sum of its parts.

Four years ago, the more than 700,000 of our countrymen and women living in Washington, D.C. exercised their rights and their power under the Ninth Amendment and the Tenth Amendment to vote to form a new State and to petition us for admission to the Union. That vote carried by a 6-1 margin.

Washingtonians ask us today to pierce the sound barrier of propaganda and to find and to recall in our hearts, the poetry that is America.

We began as 13 States, but Congress has exercised our powers under Article IV, Section 3, 37 different times, to admit 37 new States, all of them by simple legislative acts, none of them by constitutional amendment. Each one was controversial in its own way:

They said Texas couldn’t be admitted because it was a separate republic; West Virginia used to be part of Virginia; Utah was too Mormon; New Mexico was too Catholic; and, of course, everyone knew it was unconstitutional to admit Hawaii and Alaska in 1959 because they weren’t contiguous.

West Virginians do not ask us to convert the Federal district into a State. They ask us, rather, to redraw the boundaries of the Federal district, to shrink it to the White House, the Capitol, the Supreme Court, and The Mall, to effectuate an exodus of the people from direct Federal control, from the condition of being ruled in “all cases whatsoever” by other people’s elected representatives without equal rights of self-government and representative participation.

If you have ever met any Washingtonians, you will know they are sick and tired of being governed by other people’s representatives. And who wouldn’t be?

That is how you get cheated out of $750 million in hiring and other funds.

That is how your State militia gets turned against you with pepper spray and tear gas and rubber bullets.

That is how the choices you make locally about reproductive freedom, adoption, and public safety get trammeled and rewritten by politicians from other places who know nothing of the community whose decisions they insist on controlling. This is called virtual representation, and we fought a revolution to destroy that principle.

Those who are taxed, those who are governed, must be represented directly in government by their own voting representatives.

Washington asks us to do something that is not only perfectly constitutional, but time-honored. Congress has drawn and redrawn the boundaries of the Federal District several times before. The passage of the Organic Act in 1801 did not freeze the boundaries of the Federal District, which by its own terms may be “no more than 10 miles square” but has no minimum size set in the Constitution.

That is why Congress was able to redraw the Federal District in 1847 to shrink it and return Alexandria, Arlington, and Fairfax County to the Commonwealth of Virginia.

It is true this was done to placate the slave masters who foresaw the coming abolition of the slave traffic in the Federal city. That is what Abraham Lincoln argued for.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS. Madam Speaker, when I asked the gentleman to speak, I didn’t mean for him to take my time. I yield an additional 15 seconds to the gentleman from Maryland (Mr. RASKIN) for closing purposes.

Mr. RASKIN. Madam Speaker, if Congress can redraw the boundaries of the Federal District to protect the property rights of a few hundred slave masters in the 19th century, surely we can redraw the boundaries of the Federal District to protect the democratic rights of hundreds of thousands of Americans of all races and ethnicities living in the Capital City in the 21st century.

Mr. WOODALL. Madam Speaker, while I don’t always agree with what my friend from Maryland has to say, I do agree with my friend from Florida about his scholarly expertise. We don’t talk about the Ninth and Tenth Amendments enough down here on the floor of the House. I suspect this will be the only time in the second quarter that we mention the Ninth and Tenth Amendments, and I am grateful to my friend for his words.

Madam Speaker, I reserve the balance of my time.

Mr. FOLEY. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Ms. SCANLON), my friend and a distinguished member of the Rules Committee.

Ms. SCANLON. Madam Speaker, on this busy legislative day, I would like to focus my attention on both the George Floyd Justice in Policing Act and the Emergency Housing and Relief Act.

The sickening police murders of George Floyd, Breonna Taylor, Rayshard Brooks, Ahmaud Arbery, Elijah McClain, and so many other Black Americans have rightfully brought our country to a place of moral reckoning that is long overdue. We must confront the harsh truths about racism in our country.

Black lives do matter and changing our systems will take each and every one of us. This bill is a start.

The George Floyd Justice in Policing Act will end no-knock warrants, ban chokeholds, it will limit the transfer of military-grade machinery in local police forces, it will create a national registry to prevent the worst police officers from simply transferring to another force for they have been found guilty of misconduct.

The Justice in Policing Act is the reform that Americans are demanding to
enact real change. This bill must be the starting point for negotiations with the Senate, not empty gestures from Senate Republicans or the White House.

We are a country in desperate need of leadership. The only way to navigate the economic and health challenges of the COVID–19 pandemic.

My colleagues on the other side of the aisle may choose to deny that we are in the middle of a pandemic, but we have seen the recent days that we are far from out of the woods.

Our constituents are struggling, in no small part due to the White House’s single-minded focus on the stock market rather than American families, but while the White House and congressional Republicans are denying science and peddling in conspiracy theories, House Democrats are working to help American families.

The Emergency Housing and Relief Act would help those families by providing rental assistance, helping landlords, homeowners, and those experiencing homelessness by providing billions in grants to help cover rent and other fees, as well as expanding the moratorium on evictions and foreclosure.

Madam Speaker, I urge my colleagues to support this legislation, because it is vital to the health and well-being of American families.

Mr. WOODALL. Madam Speaker, I am prepared to close if there are no further speakers remaining.

Mr. HASTINGS. Madam Speaker, I would advise the gentleman that I have no further speakers, and I too am prepared to close.

Mr. WOODALL. Madam Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Georgia has 8 minutes remaining.

Mr. WOODALL. Madam Speaker, I yield myself 6 minutes.

Madam Speaker, I told you at the beginning all of the things that this rule did not include. It did not include partnership at the committee level or any Republican input whatsoever. It did not include any partnership in the Rules Committee, or any Republican amendments made in order.

We have many bills as I have ever seen jammed into a single rule, and, again, not done in any way that creates any consensus, that provides any opportunity for being able to move a bill to the Senate and on to the President’s desk.

That is disappointing, because as I have heard from colleagues on both sides of the aisle, the American people want action on all of these issues, and we are not going to be able to provide that in this way. That is what is not in here.

But, Madam Speaker, it is particularly important to me that we find you in the chair today, as my friend from Florida recognized. What this might be is one of those moments we look back on as when something got started.

You don’t ever know how things get started. You know how they finish, but it is sometimes hard to understand how they got started.

I am absolutely certain that the bill we have before us today isn’t going to the President’s desk on police reform, I absolutely am, as are my Democratic colleagues.

One of my friends on the Judiciary Committee, SHEILA JACKSON LEE, was quoted in the Hill today saying:

Ultimately there will probably be a conference, but I don’t want to take any issue with Democrats saying, You know we have the stronger bill.

Of course, that is true. Folks have the opportunity to start the process where they want to start the process.

The House majority whip, JAMES CLYBURN, went on to state further:

A cleaner road to compromise would have been to have the Senate negotiators smooth out the wrinkles between Senator Scott’s bill and the one championed by Democrats Corey Booker and Kamala Harris. I could very well have been that they could have come to some kind of a compromise that will fly in the House. Why worry about going to conference?

It is not lost on me that my Democratic friends in the House have come today to say, “Please accept this police reform bill, even though you have gotten no Republican amendments whatsoever.”

My friend from Florida asked us not to make the perfect the enemy of the good in that way. I understand those words.

But my friend from South Carolina, TIM SCOTT, offered the very same proposal to Senate Democrats. In fact, he offered them 20 amendments to his bill, and the Democratic leadership in the Senate said, “No, that is not good enough. We are going to walk away.”

Well, 20 amendments aren’t good enough. Certainly, no amendments aren’t good enough. It frustrates me, because we all know we want to move forward.

My friend from Florida recognized yesterday, Madam Speaker, that he is the oldest member of the Rules Committee. I think I am the youngest member of the Rules Committee.

I don’t believe the gentleman from Florida has spent one second thinking about what this bill will mean to him in his life. I think he has spent all this time thinking about what the bill that he championed is going to mean to that child born in a Washington area hospital today and what it will mean to him or her in their life.

I was born 2 years after Martin Luther King was murdered. His work and his impact on the country I was the beneficiary of, but I was not around during that. I know that is where folks’ hearts and minds are focused.

Whether it has been the harsh consequences of a reconstruction abandoned too easily and too quickly, Jim Crow, the violent resistance of the civil rights movement, the war on drugs, or the relentless police brutality conducted by some police officers directed...
at Black people, we have stood strong, we have stood together, and through prayer and perseverance, we have endeavored with access that we can enter the American Dream, that is truly ours to attain, is ever growing for our children and grandchildren.

As I have always done, I welcome all, colors, creeds, and religions to this righteous march.

Madam Speaker, I thank the gentlewoman from Georgia (Mr. WOODALL), all of the persons who have spoken, the distinguished staff on both sides for putting together this matter, and you, Madam Speaker, along with our colleagues in the various caucuses and, particularly, the Congressional Black Caucus, and the Speaker of the House of Representatives for moving this matter forward.

Like my friend from Georgia, I don’t see this today as the end, but it is a privilege for me to be on the floor with you and madam, Speaker. And I am sure down the road, it will reflect in the future on the record that we were here to make a difference.

Madam Speaker, I urge a “yes” vote on the rule and the previous question.

The material previously referred to by Mr. WOODALL is as follows:

**AMENDMENT TO HOUSE RESOLUTION 1017**

At the end of the resolution, add the following:

SEC. 9 Immediately upon adoption of this resolution, the House shall proceed to the consideration of the House of the resolution (H. Res. 1023) calling for justice for George Floyd and others, and condemning violations and rioting. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and proceed to the passage of the resolution without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. Clause (1) of rule XIX shall not apply to the consideration of House Resolution 1023.

Mr. WOODALL. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 176, not voting 23, as follows:

**NAYS—176**

Abraham
Adrian
Allen
Amash
Amodei
Armstrong
Bacon
Balderston
Banks
Bergman
Biggs
Bilirakis
Bishop (NC)
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Bucy
Buchon
Budd
Burks
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chu, Judy
Cicilline
Connors
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crow
CueLLAr
Cunningham
Davis (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeLauro
DeLauro
Denham
Dent
Dingell
Doggett
Doyle, Michael F.
Evans
Finkenauer
Fletcher
Foster
Frankel
Frankel
Gabbard
Galgelo
Garcenendi
Garcia (IL)
Garcia (TX)
Gomez
Gomez
Gonzales (TX)
Gosar
Guilfoyle
Hagedorn
Hagedorn
Hale
Hannah
Harden
Hastings
Hay
Heck
Higginson (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
JACKSON LEE)
The question is on the

The SPEAKER pro tempore. The question is on the order.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 180, not voting 20, as follows:
The recess having expired, the House was called to order by the Speaker pro tempore (Ms. UNDERWOOD) at 1 o’clock and 29 minutes p.m.

ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM PERMANENT EXTENSION ACT

Mr. NADLER, Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 7096) to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was none.

The text of the bill is as follows: H.R. 7096

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE.

This Act may be cited as the “Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act”.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Conspiracies among competitors to fix prices, rig bids, and allocate markets are categorically and indestructible anticompetitive and contravene the competition policy of the United States.

(2) Cooperation incentives are important to the efforts of the Antitrust Division of the Department of Justice to prosecute and deter the offenses described in paragraph (1).

(b) PURPOSE.—The purpose of this Act, and the amendments made by this Act, is to strengthen public and private antitrust enforcement by providing incentives for antitrust violators to cooperate fully with government prosecutors and private litigants through the repeal of the sunset provision of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note).

SEC. 3. REPEAL OF SUNSET PROVISION.

(a) IN GENERAL.—Section 211 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 212 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is amended—

(1) by striking paragraph (6); and

(2) by redesignating paragraph (7) as paragraph (6).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020

Mr. NADLER, Madam Speaker, pursuant to House Resolution 1017, I call up the bill (H.R. 7120) to hold law enforcement accountable for misconduct.
in court, improve transparency through data collection, and reform police training and policies, and ask for its immediate consideration.

The Clerk read the title of the bill. The SPEAKER pro tempore. Pursuant to House Resolution 1017, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, modified by the amendment print ed in part D of House Report 116-436, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 7210

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 “George Floyd Justice in Policing Act of 2020”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.


Sec. 102. Qualified immunity reform.

Sec. 103. Pattern and practice investigations.

Sec. 104. Independent investigations.

Sec. 105. Federal data collection on law enforcement practices.

Sec. 106. Law enforcement grants.

Sec. 107. Law enforcement training.

Sec. 108. Law enforcement accountability board.

Sec. 109. Federal requirements.

Sec. 110. Findings.

Sec. 111. Short title.

Sec. 112. Definitions.

Sec. 113. Accreditation of law enforcement agencies.

Sec. 114. Law enforcement grants.

Sec. 115. Attorney General to conduct study.


Sec. 117. National task force on law enforcement oversight.

Sec. 118. Federal data collection on law enforcement practices.

TITLE I—POLICE ACCOUNTABILITY

Subtitle A—Holding Police Accountable in the Courts

Sec. 1. Short title.

Sec. 2. Definitions.

Sec. 3. Prohibition of racial profiling by Federal law enforcement agencies.

Sec. 4. Prohibition of racial profiling by State and local law enforcement agencies.

Sec. 5. Policies required for grants.

Sec. 6. Incentivizing banning of chokeholds and carotid holds.

Sec. 7. Rule of construction.

TITLE II—POLICING TRANSPARENCY THROUGH DATA

Subtitle A—National Police Misconduct Registry

Sec. 1. Establishment of National Police Misconduct Registry.

Sec. 2. Certification requirements for hiring of law enforcement officers.

Sec. 3. Biometric database.

Sec. 4. Use of force data reporting.

Sec. 5. Compliance with reporting requirements.

Sec. 6. Federal law enforcement reporting.

Sec. 7. Authorization of appropriations.

TITLE III—IMPROVING POLICE TRAINING AND POLICIES

Subtitle A—End Racial and Religious Profiling

Sec. 1. Short title.

Sec. 2. Definitions.

PART I—PROHIBITION OF RACIAL PROFILING

Sec. 1. Prohibition.

Sec. 2. Enforcement.

PART II—PROGRAMS TO ELIMINATE RACIAL PROFILING BY FEDERAL LAW ENFORCEMENT AGENCIES

Sec. 1. Policies to eliminate racial profiling.

PART III—PROGRAMS TO ELIMINATE RACIAL PROFILING BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES

Sec. 1. Policies required for grants.

Sec. 2. Incentivizing banning of chokeholds and carotid holds.

Sec. 3. Training on racial bias and duty to intervene.

Sec. 4. Requirements for Federal law enforcement officers regarding the use of body cameras.

Sec. 5. Patrol vehicles with in-car video recording systems.

Sec. 6. Public safety innovation grants.

Subtitle B—Law Enforcement Body Cameras

PART I—FEDERAL POLICE CAMERA AND ACCOUNTABILITY ACT

Sec. 1. Short title.

Sec. 2. Requirements for Federal law enforcement officers regarding the use of body cameras.

Sec. 3. Patrol vehicles with in-car video recording systems.

Sec. 4. Facial recognition technology.

Sec. 5. GAO study.

Sec. 6. Regulations.

Sec. 7. Rule of construction.

PART II—POLICE CAMERA ACT

Sec. 1. Short title.

Sec. 2. Law enforcement body-worn camera requirements.

TITLE IV—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

Sec. 1. Short title.

Sec. 2. Prohibition on engaging in sexual acts while acting under color of law.

Sec. 3. Requirements for Federal law enforcement agencies.

Sec. 4. Incentivizing banning of chokeholds and carotid holds.

Sec. 5. Rule of construction.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 1. Severability.

Sec. 2. Savings clause.

SEC. 2. DEFINITIONS.

In this Act:

(1) BYRNE GRANT PROGRAM.—The term “Byrne grant program” means any grant program under subpart I of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.), without regard to whether the funds are characterized as being made available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(2) COPS GRANT PROGRAM.—The term “COPS grant program” means the grant program authorized under section 101 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381).

(3) FEDERAL LAW ENFORCEMENT AGENCY.—The term “Federal law enforcement agency” means any agency of the United States authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal criminal law.

(4) FEDERAL LAW ENFORCEMENT OFFICER.—The term “Federal law enforcement officer” has the meaning given the term in section 901 of title 18, United States Code.

(5) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term “Indian tribe” in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(6) LOCAL LAW ENFORCEMENT OFFICER.—The term “local law enforcement officer” means any officer, agent, or employee of a State or unit of local government authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation of any violation of criminal law.

(7) STATE.—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(8) TRIBAL LAW ENFORCEMENT OFFICER.—The term “tribal law enforcement officer” means any officer, agent, or employee of an Indian tribe, or the Bureau of Indian Affairs, authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

(9) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(10) DEADLY FORCE.—The term “deadly force” means that force which a reasonable person would consider likely to cause death or serious bodily harm, including—

(A) the discharge of a firearm;

(B) a maneuver that restricts blood or oxygen flow to the brain, including chokeholds, strangulations, neck restraints, neck holds, and carotid artery restraints; and

(C) multiple discharges of an electronic control weapon.

(11) USE OF FORCE.—The term “use of force” includes—

(A) the use of a firearm, electronic control weapon, or other device designed to cause pain or incapacitation (such as pepper spray); use of impact or less lethal weapons, including baton, impact projectiles, blunt instrument, hand, fist, foot, canine, or vehicle against an individual;

(B) the use of a weapon, including a personal body weapon, chemical agent, impact weapon, extended range impact weapon, sonar weapon, sensory weapon, conducted energy device, or firearm against an individual;

(C) any intentional pointing of a firearm at an individual.

(12) LESS LETHAL FORCE.—The term “less lethal force” means any degree of force that is not likely to cause death or serious bodily injury.

(13) FACIAL RECOGNITION.—The term “facial recognition” means an automated or semiautomated process that analyzes biometric data of an individual from video footage to identify or assist in identifying an individual.

TITLE I—POLICE ACCOUNTABILITY

Subtitle A—Holding Police Accountable in the Courts

Sec. 101. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW.

Section 242 of title 18, United States Code, is amended—

(1) by striking “willfully” and inserting “knowingly or recklessly”;

(2) by striking “, or may be sentenced to” and inserting “, or shall be punished by imprisonment for any term of years or fine, or both”;

(3) by adding at the end the following: “For purposes of this section, an act shall be considered to have resulted in death if the act was a substantial factor contributing to the death of the person.”

Sec. 102. QUALIFIED IMMUNITY REFORM.

Section 2207 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by adding at the end the following: “It shall not be a defense or immunity in any action brought under this section against a local law enforcement officer (as such term is defined in section 2 of the George Floyd Justice in Policing Act of 2020), or in any action under any source of law against a Federal investigative or law enforcement officer (as such term is defined in section 2680(h) of title 28, United States Code), that—
“(1) the defendant was acting in good faith, or that the defendant believed, reasonably or otherwise, that his or her conduct was lawful at the time when the conduct was committed; or

“(2) the available privileges, or immunities secured by the Constitution and laws were not clearly established at the time of their deprivation by the conduct at issue; or

the statute of the law was otherwise such that the defendant could not reasonably have been expected to know whether his or her conduct was lawful.”

SEC. 103. PATTERN AND PRACTICE INVESTIGATIONS.

(a) SUBPOENA AUTHORITY.—Section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601) is amended—

(1) in subsection (a), by inserting “, by prosecutors,” after “conduct by law enforcement officers”;

(2) in subsection (b), by striking “paragraph (1)” and inserting “subsection (a)”;

and (3) by adding at the end the following:

“(c) SUBPOENA AUTHORITY.—In carrying out the authority in subsection (b), the Attorney General may require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium (including electronically stored information), as well as any tangible thing and documentary evidence that will aid in the administration and testimony of witnesses necessary in the performance of the Attorney General under subsection (b). Such a subpoena, in the case of an ongoing or pending investigation, may be levied by any district court of the United States.

(d) CIVIL ACTION BY STATE ATTORNEYS GENERAL.—Whenever it shall appear to the attorney general of any State, or such other official as a State may designate, that there is a violation of subsection (a) has occurred within their State, the Attorney General or official, in the name of the State, may bring a civil action in the appropriate district court of the United States to obtain appropriate equitable and declaratory relief to eliminate the pattern or practice. In carrying out the authority in this subsection, the State attorney general or official shall have the same subpoena authority as is available to the Attorney General under subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Attorney General under subsection (b) in any case in which a State attorney general has brought a civil action under subsection (d).

(f) REPORTING REQUIREMENTS.—On the date that is one year after the date of enactment of this Act, the Attorney General, in consultation with the American Legal Consortium (NAPALC), shall file a report with the attorney general of each State the attorney general of which is designated by the Attorney General under subsection (b) to carry out this subsection.

(g) GRANT PROGRAM.—The Attorney General shall make grants to States to carry out this subsection.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $575,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

SEC. 104. INDEPENDENT INVESTIGATIONS.

(a) IN GENERAL.—In this subsection:

(1) INVESTIGATIVE AUTHORITY.—The term “independent investigation” means an investigation or prosecution of a law enforcement official or agency involving the use of deadly force, including one or more of the following:

(i) A finding under subsection (b) that there is an isolated instance of misconduct;

(ii) A determination that the investigation or proceeding of a law enforcement official or agency involving the use of deadly force has been compromised; or

(iii) An investigation or proceeding of a law enforcement statute.

(b) GRANT PROGRAM.—The Attorney General, in consultation with the American Civil Liberties Union, the NAACP, the American Professional Labor Unions, the American Legal Consortium (NAPALC), the American Civil Liberties Union, the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC), the State of New York, and any other entity designated by the Attorney General, shall establish a grant program to make grants to States to carry out the requirements of this subsection.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $750,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

(d) AUTHORIZATION OF APPROPRIATIONS.—The term “independent investigation” means, with respect to a criminal investigation or prosecution of a law enforcement officer’s use of deadly force, a prosecution who—

(i) does not oversee or regularly rely on the law enforcement agency by which the law enforcement officer under investigation is employed; and

(ii) would not be involved in the prosecution in the ordinary course of that prosecutor’s duties.

SEC. 105. BY THE ATTORNEY GENERAL.—Data acquired by the Attorney General under subsection (b) may not be used to prosecute an individual who was not a law enforcement officer.

SEC. 106. INDEPENDENT INVESTIGATIONS. The term “independent investigation” means a criminal investigation or prosecution of a law enforcement official or agency involving the use of deadly force, including one or more of the following:

(a) by striking “The Attorney General” and inserting “the independent prosecutor”;

“(f) FEDERAL COLLECTION OF DATA.—The Attorney General;” and

“(b) by adding at the end the following:

“(B) by striking “paragraph (1)” and inserting “subsection (a)”;

and (C) by adding at the end the following:

“(d) ENFORCEMENT OF PATTERN OR PRACTICE RELIEF.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government that receives funds under the Byrne grant program or the COPS grant program during a fiscal year may not make available any amount of such funds to a local law enforcement agency if that local law enforcement agency enters into or renews any contractual arrangement, including a collective bargaining agreement with a labor organization, that—

(1) would prevent the Attorney General from seeking or enforcing equitable or declaratory relief against a law enforcement agency engaging in a pattern or practice of unconstitutional misconduct; or

(2) conflicts with any terms or conditions contained in a consent decree.

SEC. 107. INDEPENDENT INVESTIGATIONS.

(a) IN GENERAL.—In this subsection:

(1) INVESTIGATIVE AUTHORITY.—The term “independent investigation” means an investigation or prosecution of a law enforcement official or agency involving the use of deadly force, including one or more of the following:

(i) A finding under subsection (b) that there is an isolated instance of misconduct;

(ii) A determination that the investigation or proceeding of a law enforcement official or agency involving the use of deadly force has been compromised; or

(iii) An investigation or proceeding of a law enforcement statute.

(b) ON THE DATE THAT IS ONE YEAR AFTER THE DATE OF ENACTMENT OF THIS ACT, THE ATTORNEY GENERAL, IN CONSULTATION WITH THE AMERICAN LEGAL CONSORTIUM (NAPALC), SHALL FILE A REPORT WITH THE ATTORNEY GENERAL UNDER SUBSECTION (C) WITH THE FOLLOWING:

A UTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $575,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

GRANT PROGRAM.—The Attorney General shall make grants to States to carry out the requirements of this subsection.

SEC. 108. GRANT PROGRAM.—The Attorney General may award grants to eligible States and Indian Tribes to assist in implementing an independent investigation of law enforcement statute.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $750,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

SEC. 110. SHORT TITLE.—This subtitle may be cited as the “Law Enforcement Trust and Integrity Act of 2020”.

SEC. 111. DEFINITIONS.—In this subtitle:

(a) COMUNITY-BASED ORGANIZATION.—The term “community-based organization” means a grassroots organization that monitors the issue of police misconduct and that has a local or national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC),

This subtitle may be cited as the “Law Enforcement Trust and Integrity Act of 2020”.

SEC. 122. DEFINITIONS.—In this subtitle:

(a) COMUNITY-BASED ORGANIZATION.—The term “community-based organization” means a grassroots organization that monitors the issue of police misconduct and that has a local or national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC),

The term “independent investigation” means a criminal investigation or prosecution of a law enforcement official or agency involving the use of deadly force, including one or more of the following:

(i) A finding under subsection (b) that there is an isolated instance of misconduct;

(ii) A determination that the investigation or proceeding of a law enforcement official or agency involving the use of deadly force has been compromised; or

(iii) An investigation or proceeding of a law enforcement statute.

(b) ON THE DATE THAT IS ONE YEAR AFTER THE DATE OF ENACTMENT OF THIS ACT, THE ATTORNEY GENERAL, IN CONSULTATION WITH THE AMERICAN LEGAL CONSORTIUM (NAPALC), SHALL FILE A REPORT WITH THE ATTORNEY GENERAL UNDER SUBSECTION (C) WITH THE FOLLOWING:

A UTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $575,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

GRANT PROGRAM.—The Attorney General shall make grants to States to carry out the requirements of this subsection.

SEC. 110. SHORT TITLE.—This subtitle may be cited as the “Law Enforcement Trust and Integrity Act of 2020”.

SEC. 112. DEFINITIONS.—In this subtitle:

(a) COMUNITY-BASED ORGANIZATION.—The term “community-based organization” means a grassroots organization that monitors the issue of police misconduct and that has a local or national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC),

This subtitle may be cited as the “Law Enforcement Trust and Integrity Act of 2020”.

SEC. 122. DEFINITIONS.—In this subtitle:

(a) COMUNITY-BASED ORGANIZATION.—The term “community-based organization” means a grassroots organization that monitors the issue of police misconduct and that has a local or national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC),
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(2) LAW ENFORCEMENT ACCREDITATION ORGANIZATION.—The term “law enforcement accreditation organization” means a professional law enforcement organization involved in the development of standards of accreditation for law enforcement agencies at the national, State, regional, or Tribal level, such as the Commission on Accreditation for Law Enforcement Agencies (CAILA) instruction.

(3) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means a State, local, Indian tribal, or campus public agency engaged in the prevention, detection, investigation, pros- ecution, or adjudication of violations of criminal laws.

(4) PROFESSIONAL LAW ENFORCEMENT ASSOCIATION.—The term “professional law enforcement association” means a law enforcement membership association that works for the needs of Federal, State, local, or Indian tribal law enforcement agencies and with the civilian community on matters of common interest, such as the Hispanic American Police Command Officers Association (HAPCOA), the National Association of School Resource Officers (NASRO), the National Organization of Black Law Enforcement Executives (NOBLE), the Women’s Law Enforcement Executive Association (WLEEA), the Hispanic American Police Command Officers (HAPCO), the National Association of School Resource Officers (NASRO), or any other similar association.

(5) NATIONAL STANDARDS.—The term “national standards” means standards established by the National Accreditation Board for Law Enforcement Agencies, the National Law Enforcement Accreditation Council (NACOLE), the National Organization of Black Law Enforcement Executives (NOBLE), the Fraternal Order of Police (FOP), or the National Association of School Resource Officers.

(6) PROFESSIONAL CIVILIAN OVERSIGHT ORGANIZATION.—The term “professional civilian oversight organization” means a membership organization formed to address and advance civilian oversight of law enforcement and whose members are from Federal, State, regional, local, or Tribal organizations that review issues or complaints against law enforcement agencies or offices, such as the National Association for Civilian Oversight of Law Enforcement (NACOLE).

SEC. 113. ACCREDITATION OF LAW ENFORCEMENT AGENCIES.

(a) STANDARDS.—(1) INITIAL ANALYSIS.—The Attorney General shall perform an initial analysis of existing accreditation standards and methodology developed by law enforcement accreditation organizations nationwide, including national, State, regional, and Tribal accreditation organizations. Such an analysis shall include a review of the recommendations of the Final Report of the President’s Taskforce on 21st Century Policing, issued by the Department of Justice, in May 2015.

(2) DEVELOPMENT OF UNIFORM STANDARDS.—After completion of the initial review and analysis under paragraph (1), the Attorney General shall—

(A) recommend, in consultation with law enforcement accreditation organizations and community-based organizations, the adoption of additional standards that will result in greater community accountability of law enforcement agencies and an increased focus on policing with a guardian mentality, including standards relating to—

(i) early warning systems and related intervention programs;
(ii) use of force procedures;
(iii) civilian review procedures;
(iv) traffic and pedestrian stop and search procedures;
(v) data collection and transparency;
(vi) administrative due process requirements;
(vii) video monitoring technology;
(viii) youth justice and school safety; and
(ix) recruiting, hiring, and training.

(B) recommend additional areas for the development of national standards for the accreditation of law enforcement agencies in consultation with the National Accreditation Board for Law Enforcement Agencies, professional law enforcement associations, law organizations, community-based organizations, and professional civilian oversight organizations.

(3) CONTINUING ACCREDITATION PROCESS.—The Attorney General shall adopt policies and procedures relating to the development and implementation of national standards for quality assurance of law enforcement agencies.

(B) encourage the pursuit of accreditation of Federal, State, local, and Tribal law enforcement agencies by certified law enforcement accreditation organizations.

(2) USE OF FUNDS REQUIREMENTS.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 10153(a)) is amended by adding at the end the following:

(7) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to assist law enforcement agencies of the applicant, including campus public safety departments, gain or maintain accreditation from certified law enforcement accreditation organizations covered by an application, the applicant will use not less than 5 percent of the total amount of

(8) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to study and implement effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies identified in paragraph (1) of this section, and grant amounts awarded under subsection (b) shall be used to—

(1) study management and operations standards for law enforcement agencies, including standards relating to administrative due process, residency requirements, compensation and benefits, use of force, racial profiling, early warning systems, community and school relations, and other activities identified in this section; and

(2) develop pilot programs and implement effective standards and programs in the areas of training, hiring and recruitment, and oversight that are designed to improve management and address misconduct by law enforcement officers.

(4) COMPONENTS OF PILOT PROGRAM.—A pilot program under subsection (a)(2) shall include implementation of the following:

(I) TRAINING.—The implementation of policies, practices, and procedures addressing training and education for duty.

(II) PROCEDURES.—The implementation of policies, practices, and procedures addressing due process and investigations of officer misconduct.

(III) COMMISSARY.—The implementation of policies, practices, and procedures addressing the operation of a commissary.

(2) MODELS FOR REDUCTION OF LAW ENFORCEMENT MISCONDUCT.—The technical assistance

SEC. 114. LAW ENFORCEMENT GRANTS.

(a) USE OF FUNDS REQUIREMENT.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 10153(a)), as amended by adding at the end the following:

(8) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to study and implement effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies identified in paragraph (1) of this section, and grant amounts awarded under subsection (b) shall be used to—

(4) TECHNICAL ASSISTANCE.—

(C) initiatives to encourage residency in the jurisdiction served by the law enforcement agency and continuing education.

(3) ELIGIBILITY FOR CERTAIN GRANT FUNDS.—Policies, procedures, and practices for—

(A) the hiring and recruitment of diverse law enforcement officers reflective of the racial and cultural diversity of the communities the agencies serve;

(B) the development of selection, promotion, educational, background, and psychological standards and practices; and

(C) the creation of positive school climates by improving school conditions for learning by—

(i) eliminating school-based arrests and referrals to law enforcement;

(ii) using evidence-based preventative measures and alternatives to school-based arrests and referrals to law enforcement, such as restorative justice and healing practices; and

(iii) using school-wide positive behavioral interventions and supports.

(E) VICTIM SERVICES.—Counseling services, including psychological counseling, for individuals and communities impacted by law enforcement misconduct.

(F) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Attorney General shall provide technical assistance to States and community-based organizations in furtherance of the purposes of this section.

(2) MODELS FOR REDUCTION OF LAW ENFORCEMENT MISCONDUCT.—The technical assistance
provided by the Attorney General may include the development of models for States and community-based organizations to reduce law enforcement officer misconduct. Any development of such models shall be in consultation with community-based organizations.

(f) USE OF COMPONENTS.—The Attorney General may use any component or components of the Department of Justice in carrying out this section.

(g) APPLICATIONS.—An application for a grant under subsection (b) shall be submitted in such form, including such information, as the Attorney General may prescribe by rule.

(h) PERFORMANCE EVALUATION.—

(1) EVALUATION COMPONENTS.—(A) IN GENERAL.—Each program, project, or activity funded under this section shall contain a monitoring component, which shall be developed pursuant to rules made by the Attorney General.

(B) REQUIREMENT.—Each monitoring component required under subparagraph (A) shall include systematic identification and collection of data about activities, accomplishments, and programs throughout the duration of the program, project, or activity and presentation of such data in a usable form.

(2) EVALUATION COMPONENTS.—

(A) IN GENERAL.—Selected grant recipients shall be evaluated on the local level or as part of a larger evaluation, pursuant to rules made by the Attorney General.

(B) REQUIREMENT.—An evaluation conducted under subparagraph (A) may include independent evaluations of such individual program implementation. For community-based organizations in selected jurisdictions that are able to support outcome evaluations, the effectiveness of funded programs, projects, and activities may be required.

(2) PERIODIC REVIEW AND REPORTS.—The Attorney General may require a grant recipient to submit biannually to the Attorney General the results of the monitoring and evaluations required under paragraphs (1) and (2) and such other data and information as the Attorney General determines to be necessary.

(3) REVOCATION OR SUSPENSION OF FUNDING.—If the Attorney General determines, as a result of monitoring under subsection (h) or otherwise, that a grant recipient under the Byrne program or under subsection (b) is not in substance in compliance with the requirements of this section, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

(C) CIVILIAN REVIEW BOARD DEFINED.—In this section, the term “civilian review board” means an administrative entity that investigates civilian complaints against law enforcement officers and—

(1) is independent and adequately funded;

(2) has investigatory authority and subpoena power;

(3) has representative community diversity;

(4) has policy making authority;

(5) provides advocates for civilian complainants;

(6) may conduct hearings; and

(7) conducts statistical studies on prevailing complaint trends.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2021, in addition to any other sums authorized to be appropriated—

(1) $25,000,000 for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12091), crimes committed under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department of Justice of such sections, including compliance with consent decrees or judgments entered into under such section 210401; and

(2) $3,300,000 for additional expenses related to conflict resolution by the Department of Justice’s Community Relations Service.

SEC. 117. NATIONAL TASK FORCE ON LAW ENFORCEMENT OVERSIGHT.

(a) ESTABLISHMENT.—A national task force is established within the Department of Justice a task force to be known as the Task Force on Law Enforcement Oversight (hereinafter in this section referred to as the “Task Force”).

(b) COMPOSITION.—The Task Force shall be composed of individuals appointed by the Attorney General, who shall appoint not less than 1 individual from each of the following:

(1) The Special Litigation Section of the Civil Rights Division.

(2) The Criminal Section of the Civil Rights Division.

(3) The Federal Coordination and Compliance Section of the Civil Rights Division.

(4) The Employment Litigation Section of the Civil Rights Division.

(5) The Disability Rights Section of the Civil Rights Division.

(6) The Office of Justice Programs.

(7) The Office of Community Oriented Policing Services (COPS).

(8) The Corruption/Civil Rights Section of the Federal Bureau of Investigation.

(9) The Civil Rights Division.

(10) The Office of Tribal Justice.

(b) REQUIREMENT.—Each law enforcement agency shall provide a breakdown of the numbers of incidents of that practice by race, ethnicity, age, and gender of the officers of the agency and of members of the public involved in the practice.

(c) PRACTICES TO BE REPORTED.—The practices to be reported are the following:

(1) Traffic violation stops.

(2) Pedestrian stops.

(3) Frisk and body searches.

(4) Instance of use of force by law enforcement officers used deadly force, including—

(A) a description of when and where deadly force was used, and whether it resulted in death;

(B) a description of deadly force directed against an officer and whether it resulted in injury or death; and

(C) the law enforcement agency’s justification for use of deadly force, if the agency determines it was justified.

(d) RETENTION OF DATA.—Each law enforcement agency required to report data under this section shall maintain records relating to any matter reported for not less than 4 years after the records are created.

(e) PENALTY FOR STATES FAILING TO REPORT AS REQUIRED.—

(1) IN GENERAL.—For any fiscal year, a State shall not receive any amount that would otherwise be allocated to that State under section 505(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10169(a)), or any amount from any other law enforcement assistance program of the Department of Justice, unless the State has ensured, to the satisfaction of the Attorney General, that the State and each local law enforcement agency of the State is in substantial compliance with the requirements of this section.

(2) RELOCATION.—Amounts not allocated by reason of this subsection shall be reallocated to States not disqualified by failure to comply with this section.

SEC. 119. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2021, in addition to any other sums authorized to be appropriated—

(1) $25,000,000 for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12091), crimes committed under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department of Justice of such sections, including compliance with consent decrees or judgments entered into under such section 210401; and

(2) $3,300,000 for additional expenses related to conflict resolution by the Department of Justice’s Community Relations Service.

SEC. 118. FEDERAL DATA COLLECTION ON LAW ENFORCEMENT PRACTICES.

(a) AGENCIES TO REPORT.—Each Federal, State, Tribal, and local law enforcement agency shall report the data enumerated in subsection (c) of that agency to the Attorney General.

(b) BREAKDOWN OF INFORMATION BY RACE, ETHNICITY, AGE, GENDER.—The Attorney General may require a grant recipient to submit biannually to the Attorney General a breakdown of the numbers of incidents of that practice by race, ethnicity, age, and gender of the officers of the agency and of members of the public involved in the practice.

(c) PRACTICES TO BE REPORTED.—The practices to be reported on are the following:

(1) Traffic violation stops.

(2) Pedestrian stops.

(3) Frisk and body searches.

(4) Instance of use of force by law enforcement officers used deadly force, including—

(A) a description of when and where deadly force was used, and whether it resulted in death;

(B) a description of deadly force directed against an officer and whether it resulted in injury or death; and

(C) the law enforcement agency’s justification for use of deadly force, if the agency determines it was justified.

(d) RETENTION OF DATA.—Each law enforcement agency required to report data under this section shall maintain records relating to any matter reported for not less than 4 years after the records are created.

(e) PENALTY FOR STATES FAILING TO REPORT AS REQUIRED.—

(1) IN GENERAL.—For any fiscal year, a State shall not receive any amount that would otherwise be allocated to that State under section 505(a) of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10169(a)), or any amount from any other law enforcement assistance program of the Department of Justice, unless the State has ensured, to the satisfaction of the Attorney General, that the State and each local law enforcement agency of the State is in substantial compliance with the requirements of this section.

(2) RELOCATION.—Amounts not allocated by reason of this subsection shall be reallocated to States not disqualified by failure to comply with this section.

SEC. 116. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2021, in addition to any other sums authorized to be appropriated—

(1) $25,000,000 for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12091), crimes committed under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department of Justice of such sections, including compliance with consent decrees or judgments entered into under such section 210401; and

(2) $3,300,000 for additional expenses related to conflict resolution by the Department of Justice’s Community Relations Service.

SEC. 117. NATIONAL TASK FORCE ON LAW ENFORCEMENT OVERSIGHT.

(a) ESTABLISHMENT.—A national task force is established within the Department of Justice a task force to be known as the Task Force on Law Enforcement Oversight (hereinafter in this section referred to as the “Task Force”).

(b) COMPOSITION.—The Task Force shall be composed of individuals appointed by the Attorney General, who shall appoint not less than 1 individual from each of the following:

(1) The Special Litigation Section of the Civil Rights Division.

(2) The Criminal Section of the Civil Rights Division.

(3) The Federal Coordination and Compliance Section of the Civil Rights Division.

(4) The Employment Litigation Section of the Civil Rights Division.

(5) The Disability Rights Section of the Civil Rights Division.

(6) The Office of Justice Programs.

(7) The Office of Community Oriented Policing Services (COPS).

(8) The Corruption/Civil Rights Section of the Federal Bureau of Investigation.

(9) The Civil Rights Division.

(10) The Office of Tribal Justice.

(b) REQUIREMENT.—Each law enforcement agency shall provide a breakdown of the numbers of incidents of that practice by race, ethnicity, age, and gender of the officers of the agency and of members of the public involved in the practice.

TITLE II—POLICING TRANSPARENCY THROUGH DATA

Subtitle A—National Police Misconduct Registry

SEC. 201. ESTABLISHMENT OF NATIONAL POLICE MISCONDUCT REGISTRY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish a National Police Misconduct Registry to be compiled and maintained by the Department of Justice.

(b) CONTENTS OF REGISTRY.—The Registry required to be established under subsection (a) shall contain the following data with respect to all Federal and local law enforcement officers:

(1) Each complaint filed against a law enforcement officer, aggregated by—

(A) complaints that were found to be credible or that resulted in disciplinary action against the law enforcement officer, disaggregated by—

(B) the outcome of the complaint involved a use of force or racial profiling (as such term is defined in section 302);
(B) complaints that are pending review, disaggregated by whether the complaint involved a use of force or racial profiling; and
(C) complaints for which the law enforcement officer involved in the incident was determined to be unfounded or not sustained, disaggregated by whether the complaint involved a use of force or racial profiling.
(2) Disciple records, disaggregated by whether the complaint involved a use of force or racial profiling.
(3) Instances of force, the reason for each termination, disaggregated by whether the complaint involved a use of force or racial profiling.
(4) Records of certification in accordance with section 201.
(5) Records of lawsuits against law enforcement officers and settlements of such lawsuits.
(6) Records of any law enforcement officer who resigns or retires while under active investigation related to the use of force.
(b) FEDERAL AGENCY REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, and every 6 months thereafter, the head of each Federal law enforcement agency shall submit to the Attorney General the information described in subsection (b).
(c) STATE AND LOCAL LAW ENFORCEMENT AGENCY REPORTING REQUIREMENTS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act and each fiscal year thereafter in which a State or Indian Tribe receives funds under the Byrne grant program, the State shall, once every 180 days, submit to the Attorney General the information described in subsection (b) for the State and each local law enforcement agency within the State.
(d) PUBLIC AVAILABILITY OF REGISTRY.—(1) IN GENERAL.—Beginning the first fiscal year that begins after the date that is one year after the date of enactment of this Act and each fiscal year thereafter in which a State or Indian Tribe receives funds under a Byrne grant program, the State shall, on a quarterly basis, make the information described by the Attorney General, information regarding—
(i) any incident involving the use of deadly force against a civilian; and
(ii) any incident involving the death or arrest of a local law enforcement officer or tribal law enforcement officer who is employed by the Indian Tribe;
(iv) deaths in custody; and
(v) uses of force in arrests and booking;
(vi) establish a system and a set of policies to ensure that all use of force incidents are reported by local law enforcement officers or tribal law enforcement officers; and
(vii) incidents that were not reported under clause (i), (ii), or (iii).
(2) Audit of use-of-force reporting.—Not later than 1 year after the date of enactment of this Act and each fiscal year thereafter in which a State or Indian Tribe receives funds under a Byrne grant program, the State shall audit the use-of-force data reported by the State or Indian Tribe in accordance with section 201.
(e) RETENTION OF DATA.—Each law enforcement agency required to report data under this section shall maintain records relating to any matter so reportable for not less than 4 years after those records are created.
(f) AUDIT OF USE-OF-FORCE REPORTING.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall audit the use-of-force data reported by the State or Indian Tribe to verify that the data were accurate and complete.
(g) COMPLIANCE PROCEDURE.—Prior to submitting a report under paragraph (1)(A), the State or Indian Tribe submitting such report shall determine that the information contained in the report is accurate and complete.
(h) INELIGIBILITY FOR FUNDS.—(1) IN GENERAL.—For any fiscal year in which a State or Indian Tribe fails to comply with this section, such State or Indian Tribe shall be subject to not more than a 10 percent reduction in the amount of federal funds otherwise available to such state or Indian Tribe.
(2) REALLOCATION.—Amounts not allocated under a Byrne grant program in accordance with this section shall be applied to State or Indian Tribes that have not failed to comply with such section.
(i) INFORMATION REGARDING SCHOOL RESOURCES OFFICERS.—The State or Indian Tribe shall ensure that all schools and local educational agencies within the jurisdiction of the State or Indian Tribe provide the State or Indian Tribe with the information needed regarding school resources officers to comply with this section.
(j) PUBLIC AVAILABILITY OF DATA.—(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the State or Indian Tribe shall publish...
and make available to the public, a report containing the data reported to the Attorney General under this section.

(2) PRIVACY PROTECTIONS.—Nothing in this subsection shall be construed to preclude the requirements or limitations under section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”).

(a) Data collection.—No later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Director of the Federal Bureau of Investigation, shall issue guidance on best practices relating to establishing standard data collection systems that capture the information required to be reported under subsection (a)(2), which shall include standards and definitions for terms.

SEC. 224. USE OF FORCE DATA REPORTING.

(a) TECHNICAL ASSISTANCE GRANTS AUTHORIZED.—The Attorney General may make grants to eligible law enforcement agencies to be used for the activities described in subsection (c).

(b) ELIGIBILITY.—In order to be eligible to receive a grant under this section a law enforcement agency;

(1) be a tribal law enforcement agency or be located in a State that receives funds under a Byrne grant program;

(2) demonstrate that the use of force by law enforcement officers employed by the law enforcement agency is publicly available; and

(3) establish and maintain a complaint system that—

(A) may be used by members of the public to report incidents of use of force to the law enforcement agency;

(B) is part of a program collected publicly searchable and available; and

(C) provides information on the status of any investigation of a complaint of use of force complaint.

(c) ACTIVITIES DESCRIBED.—A grant made under this section may be used by a law enforcement agency for—

(1) the cost of assisting the State or Indian Tribe in which the law enforcement agency is located in complying with the reporting requirements described in section 223;

(2) the cost of establishing necessary systems required to investigate and report incidents as required under subsection (b)(4);

(3) public awareness campaigns designed to gain input from the public on use of force by or against local and tribal law enforcement officers, including shootings, which may include tip lines, hotlines, and public service announcements;

(4) use of force training for law enforcement agencies and personnel, including training on de-escalation, implicit bias, crisis intervention techniques, and adolescent development.

SEC. 225. COMPLIANCE WITH REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall conduct an audit and review of the information provided under this subtitle to determine whether each State and Indian Tribe described in section 223(a)(1) is in compliance with the requirements of this subtitle.

(b) CONSISTENCY IN DATA REPORTING.—

(1) IN GENERAL.—Any data reported under this subtitle shall be collected and reported—

(A) in a manner consistent with existing programs of the Department of Justice that collect data on local law enforcement officer encounters with civilians; and

(B) in a manner consistent with civil rights laws for distribution of information to the public.

(2) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall—

(A) issue guidelines on the reporting requirement under section 223; and

(B) seek public comment before finalizing the guidelines required under subparagraph (A).

SEC. 226. FEDERAL LAW ENFORCEMENT REPORTING.

The head of each Federal law enforcement agency shall submit to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, the information required to be reported by a State or Indian Tribe under section 223.

SEC. 227. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as are necessary to carry out this subtitle.

TITLE III—IMPROVING POLICE TRAINING AND POLICIES

Subtitle A—End Racial and Religious Profiling Act

SEC. 301. SHORT TITLE.

This subtitle may be cited as the “End Racial and Religious Profiling Act of 2020” or “ERRPA”.

SEC. 302. DEFINITIONS.

In this subtitle:

(1) COVERED PROGRAM.—The term “covered program” means any program or activity funded in whole or in part with funds made available under—

(A) a Byrne grant program; and

(B) the COPS grant program, except that no program, project, or other activity specified in section 1701(b)(11) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (43 U.S.C. 1381 et seq.) shall be a covered program under this paragraph.

(2) GOVERNMENTAL BODY.—The term “governmental body” means any department, agency, special purpose district, or other instrumentality of Federal, State, local, or Indian Tribal government.

(3) HIT RATE.—The term “hit rate” means the percentage of stops and searches in which a law enforcement agent finds drugs, a gun, or something else that leads to an arrest. The hit rate is calculated by dividing the total number of searches by the number of searches that yield contraband. The hit rate is complementary to the rate of false stops.

(4) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means any Federal, State, local or public agency engaged in the prevention, detection, or investigation of violations of criminal, immigration, or customs laws.

(5) LAW ENFORCEMENT AGENT.—The term “law enforcement agent” means any Federal, State, local or official responsible for enforcing criminal, immigration, or customs laws, including, but not limited to, police officers and other agents of a law enforcement agency.

(6) RACIAL PROFILING.—

(A) IN GENERAL.—The term “racial profiling” means the practice of a law enforcement agent or agency relying, to any degree, on actual or perceived race, ethnicity, national origin, religion, gender, gender identity, or sexual orientation in selecting which individual to subject to routine or spontaneous investigatory activities or in deciding on the scope and substance of law enforcement activity following the initial investigatory procedure, except when there is trustworthy information, relevant to the locality and timeframe, that links a person with a particular characteristic described in this paragraph to an identified criminal incident or scheme.

(B) EXCEPTION.—For purposes of subparagraph (A), a tribal law enforcement officer exercising law enforcement authority within Indian country, as that term is defined in section 1151 of title 18, of which a person is not considered to be racial profiling with respect to making key jurisdictional determinations that are necessarily tied to reliance on actual or perceived race, ethnicity, national origin, or gender.

(7) ROUTINE OR SPONTANEOUS INVESTIGATORY ACTIVITIES.—The term “routine or spontaneous investigatory activities” means the following activities by a law enforcement agent:

(A) Interviews.

(B) Traffic stops.

(C) Pedestrian stops.

(D) Frisks and other types of body searches.

(E) Consensual or nonconsensual searches of the person, property, or possession (including vehicles) of individuals using any form of public or private transportation, including motorists and pedestrians.

(F) Data collection and analysis, assessments, and predicated investigations.

(G) Inspections and interviews of entrants into the United States for more extensive than those customarily carried out.

(H) Immigration-related workplace investigations.

(i) Such other types of law enforcement encounters compiled for or by the Federal Bureau of Investigation or the Department of Justice Bureau of Justice Statistics.

(8) REASONABLE REQUEST.—The term “reasonable request” means all requests for information, except for those that—

(A) are in violation of the investigation;

(B) would result in the unnecessary disclosure of personal information; or

(C) would place a severe burden on the resources of the law enforcement agency given its size.

PART I—PROHIBITION OF RACIAL PROFILING

SEC. 311. PROHIBITION.

No law enforcement agent or law enforcement agency shall engage in racial profiling.

(a) REMEDIES.—The United States, or an individual injured by racial profiling, may enforce this part in a civil action for declaratory or injunctive relief, filed either in a State court of general jurisdiction or in a district court of the United States.

(b) PARTIES.—In any action brought under this part, relief may be obtained against—

(1) any governmental body that employed any law enforcement agent who engaged in racial profiling;

(2) any agent of such body who engaged in racial profiling; and

(3) any person with supervisory authority over such agent.

(c) NATURE OF PROOF.—Proof that the routine or spontaneous investigatory activities of law enforcement agents have had a disparate impact on individuals with a particular characteristic described in section 302(6) shall constitute prima facie evidence of a violation of this part.

(d) ATTORNEY’S FEES.—In any action or proceeding to enforce this part against any governmental body, the court may allow a prevailing plaintiff, other than the United States, reasonable attorney’s fees as part of the costs, and may include expert fees as part of the attorney’s fees.

(i) The term “prevailing plaintiff” means a plaintiff that substantially prevails pursuant to a judicial or administrative judgment or order, or an enforceable written agreement.

PART II—PROGRAMS TO ELIMINATE RACIAL PROFILING

SEC. 321. POLICIES TO ELIMINATE RACIAL PROFILING.

(a) IN GENERAL.—Federal law enforcement agencies shall—

(1) maintain adequate policies and procedures designed to eliminate racial profiling; and

(2) cease existing practices that permit racial profiling.

(b) POLICIES.—The policies and procedures described in subsection (a) shall include—

(1) a prohibition on racial profiling;

(2) training on racial profiling issues as part of Federal law enforcement training;

(3) the collection of data in accordance with the regulations issued by the Attorney General under section 341;
SEC. 331. POLICIES REQUIRED FOR GRANTS.
(a) IN GENERAL.—An application by a State or a unit of local government for funding under a covered program shall include a certification that such State, unit of local government, and any law enforcement agency to which it will distribute funds—
(1) contains adequate policies and procedures designed to eliminate racial profiling; and
(2) has eliminated any existing practices that permit or encourage racial profiling.
(b) POLICIES.—The policies and procedures described in subsection (a)(1) shall include—
(1) a prohibition on racial profiling;
(2) training on racial profiling issues as part of law enforcement training;
(3) the collection of data in accordance with the regulations issued by the Attorney General under section 341; and
(4) participation in an administrative complaint procedure or independent audit program that meets the requirements of section 332.
(c) EFFECT.—This section shall take effect 12 months after the date of enactment of this Act.

SEC. 332. INVOLVEMENT OF ATTORNEY GENERAL.
(a) REGULATIONS.—The Attorney General shall
(1) promulgate regulations to carry out the requirements of this section.
(b) NONCOMPLIANCE.—If the Attorney General determines that the recipient of a grant from any covered program is not in compliance with the requirements of section 331 or the regulations issued under subsection (a), the Attorney General shall withhold, in whole or in part (at the Attorney General’s discretion), funds for one or more grants to the recipient under the covered program, until the recipient establishes compliance.
(c) PRIVATE PARTIES.—The Attorney General shall provide notice and an opportunity for private parties to present evidence to the Attorney General that a recipient of a grant from any covered program is not in compliance with the requirements of this part.

SEC. 333. DATA COLLECTION DEMONSTRATION PROJECT.
(a) TECHNICAL ASSISTANCE GRANTS FOR DATA COLLECTION.—
(1) IN GENERAL.—The Attorney General may, through competitive grants or contracts, carry out a data collection demonstration project for the purpose of developing and implementing data collection programs on the hit rates for stops and searches by law enforcement agencies. The data collected shall be used to determine whether race, ethnicity, national origin, gender, and religion are factors in, or at risk of engaging in, racial profiling or other misconduct.
(2) NUMBER OF GRANTS.—The Attorney General shall provide not more than 5 grants or contracts pursuant to this section.
(3) ELIGIBLE GRANTEES.—Grants or contracts under this section shall be awarded to law enforcement agencies that serve communities where there is a significant concentration of racial or ethnic minorities and that are not already collecting data voluntarily.
(b) REQUIREMENTS FOR DATA COLLECTION ACTIVITIES.—Any activities carried out with a grant under this section shall include—
(1) developing a data collection tool and reporting the compiled data to the Attorney General; and
(2) training of law enforcement personnel on data collection and analysis for data collection on hit rates for stops and searches.
(c) EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Attorney General shall conduct an evaluation of the data collected pursuant to this section and make such report available to the public.
(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—
(1) $5,000,000, over a 5-year period, to carry out the demonstration program under subsection (a); and
(2) $300,000 to carry out the evaluation under subsection (c).

SEC. 334. DEVELOPMENT OF BEST PRACTICES.
(a) USE OF FUNDS REQUIREMENT.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by sections 113 and 114, is amended by adding at the end the following:

(‘‘(h) Required activities.—Activities carried out under this section—
(1) $5,000,000, over a 5-year period, to carry out the demonstration program under subsection (a); and
(2) $300,000 to carry out the evaluation under subsection (c).’’)

(b) REQUIRED ACTIVITIES.—The policies and procedures described in subsection (a)(1) shall include—
(1) The development and implementation of racial and religious profiling training for law enforcement personnel;
(2) The collection of data in accordance with the regulations issued by the Attorney General under section 341; and
(3) The development and acquisition of feed-back systems and technologies that identify law enforcement agencies and community, professional, research, and civil rights organizations, that meet the requirements of section 332.

SEC. 335. AUTHORIZATION OF APPROPRIATIONS.
There are authorized to be appropriated to carry out the purposes of this Act—

(a) REGULATIONS.—Not later than 6 months after the date of enactment of this Act and in consultation with stakeholders, including Federal, State, and local law enforcement agencies and community, professional, research, and civil rights organizations, the Attorney General shall issue regulations for the operation of administrative complaint procedures and independent audit programs to ensure that such procedures and programs provide an appropriate response to allegations of racial profiling by law enforcement agents or agencies.

(b) GUIDELINES.—The regulations issued under paragraph (1) shall contain guidelines that ensure the fairness, effectiveness, and independence of the complaint procedures and independent auditor programs.

(c) NONCOMPLIANCE.—If the Attorney General determines that the recipient of a grant from any covered program is not in compliance with the requirements of section 331 or the regulations issued under subsection (a), the Attorney General shall withhold, in whole or in part (at the Attorney General’s discretion), funds for one or more grants to the recipient under the covered program, until the recipient establishes compliance.

(d) PRIVATE PARTIES.—The Attorney General shall provide notice and an opportunity for private parties to present evidence to the Attorney General that a recipient of a grant from any covered program is not in compliance with the requirements of this part.

SEC. 336. LIMITATIONS ON PUBLICATION OF DATA.
The name or identifying information of a law enforcement agent, complainant, or any other individual involved in any activity for which data is collected shall not—
(1) be disclosed to the public;
(2) be disclosed to any person, except for—
(A) the data collected pursuant to this subtitle; and
(B) disclosures pursuant to paragraph (3);
(3) be disclosed to anyone except as necessary to carry out this subtitle.

PART IV—DATA COLLECTION
SEC. 341. ATTORNEY GENERAL TO ISSUE REGULATIONS.
(a) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Attorney General, in consultation with stakeholders, including Federal, State, and local law enforcement agencies and community, professional, research, and civil rights organizations, shall issue regulations for the collection and compilation of data under sections 321 and 331.

(b) REQUIREMENTS.—Any data collected under subsection (a) shall—
(1) be disaggregated by race, ethnicity, national origin, gender, and religion;
(2) include the date, time, and location of such investigatory activities;
(3) include detail sufficient to permit an analysis of whether a law enforcement agency is engaging in racial profiling; and
(4) not include personally identifiable information.

(c) DISCLOSURES.—Nothing in this section shall authorize the Attorney General to disclose personally identifiable information.

(d) DISCLOSURES.—Not later than 3 years after the date of enactment of this Act, the Attorney General shall compile data on the standardized form made available under paragraph (3), and submit such data to the Civil Rights Division and the Department of Justice.

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Attorney General shall submit a report on the compilation and analysis of such data to Congress.

(f) RESPONSIBILITIES.—Nothing in this section shall—
(1) limit the use of the data collected under this subtitle to the purposes set forth in this subtitle;
(2) except as otherwise provided in this subtitle, limit access to the data collected under this subtitle to those Federal, State, or local employees or agents who require such access in order to fulfill the purposes for which the data are collected in this subtitle;
(3) require law enforcement officers or other nongovernmental agents who are permitted access to the data collected under this subtitle to sign use agreements incorporating the use and disclosure requirements set forth in this subtitle, and (4) require the maintenance of adequate security measures to prevent unauthorized access to the data collected under this subtitle.

SEC. 342. PUBLICATION OF DATA.
The Director of the Bureau of Justice Statistics of the Department of Justice shall provide to Congress and make available to the public, together with each annual report described in section 334, the data collected pursuant to this subtitle, excluding any personally identifiable information described in section 341.

SEC. 343. LIMITATIONS ON PUBLICATION OF DATA.
The name or identifying information of a law enforcement agent, complainant, or any other individual involved in any activity for which data is collected and compiled under this subtitle shall not be—
(1) released to the public;
(2) disclosed to any person, except for—
(A) such disclosures as are necessary to carry out this subtitle;
(B) disclosures of information regarding a particular person to that person; or
(C) disclosures pursuant to paragraph (3); and
(3) subject to disclosure under section 552 of title 5, United States Code (commonly known as the Freedom of Information Act).
established under subsection (a).

(2) SCOPE.—Each report submitted under paragraph (1) shall include—

(A) a summary of data collected under sections 321(b)(3) and 331(b)(3) and from any other reliable source of information regarding racial profiling in the United States;

(b) a discussion of the findings in the most recent report prepared by the Department of Justice Bureau of Justice Statistics under section 341(b)(5); and

(C) a description of any other policies and procedures that the Attorney General believes would facilitate the elimination of racial profiling.

Subtitle B—Additional Reforms

SEC. 361. TRAINING ON RACIAL BIAS AND DUTY TO INTERVENE.

(a) IN GENERAL.—The Attorney General shall establish—

(1) a training program for law enforcement officers to cover racial profiling, implicit bias, and procedural justice;

(2) a clear duty for Federal law enforcement officers to intervene in cases where another law enforcement officer is using excessive force against a citizen, and establish a training program that covers the duty to intervene.

(b) MANDATORY TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS.—The head of each Federal law enforcement agency shall require each Federal law enforcement officer employed by the agency to complete the training programs established under section 341(b)(5) and (6).

(c) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the COPS grant program for a fiscal year if, on the date before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits the issuance of a no-knock warrant in a drug case.

(2) USE OF FORCE BY FEDERAL LAW ENFORCEMENT OFFICERS.—

(A) DEFINITION.—In this subsection, the term "chokehold or carotid hold" means the application of any pressure to the throat or windpipe, the use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints that prevent or hinder breathing or reduce intake of air of an individual.

(B) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program or the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits law enforcement officers in the State or unit of local government from using a chokehold or carotid hold.

(c) CHOKEHOLDS AS CIVIL RIGHTS VIOLATIONS.

(1) DEFINITION.—In this section, the term "chokehold or carotid hold" means the application of any pressure to the throat or windpipe, the use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints which prevent or hinder breathing or reduce intake of air of an individual.

(2) CHOKEHOLDS AND CAROTID HOLDS.

A Federal law enforcement officer may not use deadly force against a person unless—

(A) the form of deadly force used is necessary, as a last resort, to prevent serious bodily injury or death to the officer or another person;

(B) the use of the form of deadly force creates a substantial risk of injury to a third person; and

(C) reasonable alternatives to the use of the form of deadly force have been exhausted.

(3) USE OF FORCE BY FEDERAL LAW ENFORCEMENT OFFICERS.—

(A) IN GENERAL.—Chapter 51 of title 18,

(b) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program for a fiscal year if, on the date before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits the issuance of a no-knock warrant in a drug case.

(C) REASONABLE ALTERNATIVES.—

(i) IN GENERAL.—The term "reasonable alternatives" means tactics and methods used by a Federal law enforcement officer to effectuate an arrest that do not unreasonably increase the risk posed to the officer or another person, including verbal communication, distance, warnings, deescalation tactics and techniques, tactical repositioning, and other tactics and techniques intended to stabilize the situation and reduce the immediacy of the risk so that more time, options, and resources can be committed to resolve the situation without the use of force.

(ii) DEADLY FORCE.—With respect to the use of deadly force, the term "reasonable alternatives" includes the use of less lethal force, the use of less lethal force that are prohibited under paragraphs (2) and (3); and

(iii) LIMITATION ON JUSTIFICATION DEFENSE.—(A) IN GENERAL.—

(B) MANDATORY TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS ON USE OF FORCE.—

Section 503(a)(1) of title 18, United States Code, is amended by adding at the end the following:

"(a) I N GENERAL.—The Attorney General shall establish—

(1) a training program for law enforcement officers to cover racial profiling, implicit bias, and procedural justice;

(2) a clear duty for Federal law enforcement officers to intervene in cases where another law enforcement officer is using excessive force against a citizen, and establish a training program that covers the duty to intervene.

(b) MANDATORY TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS.—The head of each Federal law enforcement agency shall require each Federal law enforcement officer employed by the agency to complete the training programs established under section 341(b)(5) and (6).

(c) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program or the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits law enforcement officers in the State or unit of local government from using a chokehold or carotid hold.

(d) CHOKEHOLDS AS CIVIL RIGHTS VIOLATIONS.

(1) DEFINITION.—In this section, the term "chokehold or carotid hold" means the application of any pressure to the throat or windpipe, the use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints which prevent or hinder breathing or reduce intake of air of an individual.

(2) CHOKEHOLDS AND CAROTID HOLDS.

A Federal law enforcement officer may not use deadly force against a person unless—

(A) the form of deadly force used is necessary, as a last resort, to prevent serious bodily injury or death to the officer or another person;

(B) the use of the form of deadly force creates a substantial risk of injury to a third person; and

(C) reasonable alternatives to the use of the form of deadly force have been exhausted.

(3) USE OF FORCE BY FEDERAL LAW ENFORCEMENT OFFICERS.—

(A) IN GENERAL.—Chapter 51 of title 18,
1123. Limitation on justification defense for Federal law enforcement officers

(a) IN GENERAL.—It is not a defense to an offense under section 1111 or 1112 that the use of less lethal force by a Federal law enforcement officer was justified if—

(1) that officer’s use of use of such force was inconsistent with section 364(b) of the George Floyd Justice in Policing Act of 2020; and

(2) that officer’s gross negligence, leading up to and at the time of the use of force, contributed to the necessity of the use of such force.

(b) STATUTORY.—In this section—

(1) the terms ‘deadly force’ and ‘less lethal force’ have the meanings given such terms in sections 2 and 3 of the George Floyd Justice in Policing Act of 2020; and

(2) the term ‘Federal law enforcement officer’ has the meaning given such term in section 1122.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 51 of title 18, United States Code, is amended by inserting after the item relating to section 1122 the following:

“1123. Limitation on justification defense for Federal law enforcement officers.”

(d) LIMITATION ON THE RECEIPT OF FUNDS UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—

(1) LIMITATION.—A State or unit of local government, other than an Indian Tribe, may not receive funds under this section if the State or unit of local government would otherwise receive under a Byrne grant program for a fiscal year if, on the day before the beginning of the fiscal year, the State or unit of local government does not have in effect a law that is consistent with subsection (b) of this section and section 1122 of title 18, United States Code, as determined by the Attorney General.

(2) SUBSEQUENT ENACTMENT.—If funds described in paragraph (1) are withheld from a State or unit of local government pursuant to paragraph (1) for 1 or more fiscal years, and the State or unit of local government enacts or puts in place a law described in paragraph (1), and demonstrates substantial efforts to enforce such law, subject to subparagraph (B), the State or unit of local government shall be eligible, in the fiscal year after the fiscal year during which the State or unit of local government demonstrates such substantial efforts, to receive the total amount that the State or unit of local government would have received during each fiscal year for which funds were withheld.

(B) LIMIT ON AMOUNT OF PRIOR YEAR FUNDS.—A State or unit of local government shall receive under this section, the Secretary shall annually report to Congress a description of the amount of funds under this section that the State or unit of local government was granted under this section during any fiscal year after the fiscal year described in paragraph (1) to the local community for a period of not less than 5 years.

(e) LIMITATION ON THE RECEIPT OF FUNDS TO Coordinate and regulate the federal transfer of military and law enforcement agencies.

(f) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) For each fiscal year, the Secretary shall submit to Congress a certification in writing that each Federal or State agency to which the Secretary has transferred property under this section, the Secretary shall annually report to Congress a description of the amount of funds under this section that the State or unit of local government was granted under this section during any fiscal year after the fiscal year described in paragraph (1) to the local community for a period of not less than 5 years.

(g) ANNUAL REPORT ON EXCESS PROPERTY.—Before any property available for transfer under this section, the Secretary shall annually submit to Congress a description of the property to be transferred together with a certification that the transfer of the property would not violate this section or any other provision of law.

(1) LIMITATIONS ON TRANSFERS.—(1) The Secretary may not transfer to Federal, Tribal, State, or local law enforcement agencies under this section any item described in subsection (f) so transferred before the date of the enactment of the George Floyd Justice in Policing Act of 2020.

(2) In the absence of a certification under paragraph (1) for a Federal or State agency, the Secretary may not transfer additional property to that agency under this section.

(2) ANNUAL REPORT ON EXCESS PROPERTY.—Before any property available for transfer under this section, the Secretary shall annually submit to Congress a description of the property to be transferred together with a certification that the transfer of the property would not violate this section or any other provision of law.

(d) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) For each fiscal year, the Secretary shall submit to Congress a certification in writing that each Federal or State agency to which the Secretary has transferred property under this section, the Secretary shall annually report to Congress a description of the amount of funds under this section that the State or unit of local government was granted under this section during any fiscal year after the fiscal year described in paragraph (1) to the local community for a period of not less than 5 years.

(2) The Secretary may not require, as a condition of a transfer under this section, that a Federal or State agency demonstrate the use of armor or ammunition.

(3) The limitations under this subsection shall also apply with respect to the transfer of previously transferred property of the Department of Defense from one Federal or State agency to another such agency.

(4) The Secretary may waive the applicability of paragraph (1) to a vehicle described in paragraph (B) of subsection (a) (other than a mine-resistant ambush-protected vehicle), if the Secretary determines that such a
waiver is necessary for disaster or rescue purposes or for another purpose where life and public safety are at risk, as demonstrated by the proposed recipient of the vehicle.

(B) the Secretary if the agency—

(i) submits to Congress notice of the waiver, and provides at a public Internet website of the Department, by not later than 30 days after the date on which the waiver is issued; and

(ii) requires, as a condition of the waiver, that the recipient of the vehicle for which the waiver is issued provides public notice of the waiver and the transfer, including the type of vehicle to which the property is transferred, the type of vehicle which it is transferred, in the jurisdiction where the recipient is located by not later than 30 days after the date on which the waiver is issued.

(6) The Secretary may provide for an exemption to the limitation under subparagraph (D) of paragraph (1) in the case of parts for aircraft described in such subparagraph that are transferred as part of regular maintenance of aircraft in an existing fleet.

(7) The Secretary shall require, as a condition of the Department of Justice for any violation of civil liberties; or

(8) is otherwise found to have engaged in any other activity that constitutes a prohibited act.

(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to Congress certification that for the preceding fiscal year that—

(i) each Federal or State agency that has received property transferred under this section has—

(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

(B) been suspended from the program pursuant to paragraph (4);

(ii) with respect to each non-Federal agency that has received controlled property under this section has—

(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

(B) been suspended from the program pursuant to paragraph (4);

(iii) with respect to each Federal agency that has received controlled property under this section, the Secretary of Defense or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that 100 percent of the property transferred to the agency and that 100 percent of the property was not accepted controlled property transferred under this section; and

(iv) with respect to each State agency that has received controlled property under this section, the State coordinator responsible for the section, the State coordinator responsible for the section, the Secretary shall submit to Congress notice of such authorization, including the name of the recipient requesting the authorization, the purpose of the proposed cannibalization, and the type of property proposed to be cannibalized.

(h) PROHIBITION ON OWNERSHIP OF CONTROLLED PROPERTY.—A Federal or State agency that receives property under this section may not take ownership of the property.

(i) NOTICE TO CONGRESS OF PROPERTY DOWN-GRADES.—Not later than 30 days before downgrading the classification of any item of personal property under section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)), as amended by this Act, further amended—

(1) by redesignating paragraphs (23) and (24) as paragraphs (23) and (27), respectively;

(2) in paragraph (26), as so redesignated, by striking "(22)" and inserting "(25)"; and

(3) by inserting after paragraph (22) the following:

"(23) to recruit, hire, incentivize, retain, develop, and train new, additional career law enforcement officers or current law enforcement officers who are willing to relocate to communities—

"(A) where there are poor or fragmented relationships between police and residents of the community, or where there are high incidents of crime; and

"(B) that are the communities that the law enforcement officers serve, or that are in close proximities to the communities that the law enforcement officers serve;

"(24) to collect data on the number of law enforcement officers who relocate to the communities where they serve, and whether such law enforcement officer relocations have impacted crime in such communities;

"(25) to develop and publish report strategies and timelines to recruit, hire, promote, retain, develop, and train a diverse and inclusive law enforcement workforce, consistent with merit principles and anti-discrimination laws.

Title IX—Law Enforcement Body Cameras

Subtitle C—Law Enforcement Body Cameras

PART 1—FEDERAL POLICE CAMERA AND ACCOUNTABILITY ACT

SEC. 371. SHORT TITLE. This part may be cited as the "Federal Police Camera and Accountability Act."

SEC. 372. REQUIREMENTS FOR FEDERAL LAW ENFORCEMENT OFFICERS REGARDING THE USE OF BODY CAMERAS.

(a) DEFINITIONS.—In this section—

(1) MINOR.—The term "minor" means any individual under 18 years of age.

(2) SUBJECT OF THE VIDEO FOOTAGE.—The term "subject of the video footage"—

(A) means any identifiable Federal law enforcement officer or any identifiable suspect, victim, detainee, conservant, injured party, or other similarly situated person who appears on the body camera recording; and

(B) does not include people who only incidentally appear on the recording.

(3) VIDEO FOOTAGE.—The term "video footage" means any images or audio recorded by a body camera.

(b) REQUIREMENT TO WEAR BODY CAMERA.—

(1) IN GENERAL.—Federal law enforcement officers shall wear a body camera.

(2) REQUIREMENT FOR BODY CAMERA.—A body camera required under paragraph (1) shall—

(A) have a field of view at least as broad as the officer’s vision; and

(B) be worn in a manner that maximizes the camera’s ability to capture video footage of the officer’s activities.

(c) REQUIREMENT TO ACTIVATE.—

(1) IN GENERAL.—Both the video and audio recording functions of the body camera shall be activated whenever a Federal law enforcement officer is responding to a call for service or at the initiation of any other law enforcement or investigative stop (as such term is defined in section 373) between a Federal law enforcement officer and a member of the public, except that when an immediate threat to the officer’s life or well-being is demonstrable or dangerous, the officer shall activate the camera at the first reasonable opportunity to do so.

(2) ALLOWABLE DEACTIVATION.—The body camera shall not be deactivated by the officer until the stop has fully concluded and the Federal law enforcement officer leaves the scene.
(d) **NOTIFICATION OF SUBJECT OF RECORDING.**—A Federal law enforcement officer who is wearing a body camera shall notify any subject of the recording that he or she is being recorded by a body camera as close to the inception of the stop as is reasonably possible.

(e) **REQUESTS.—**Notwithstanding subsection (c), the following shall apply to the use of a body camera:

1. **Prior to entering a private residence without a warrant or in non-exigent circumstances,** a Federal law enforcement officer shall ask the occupant of the property whether the occupant desires the officer to discontinue use of the officer's body camera. If the occupant of the property responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

2. **When interacting with an apparent crime victim,** a Federal law enforcement officer shall, as soon as practicable, ask the apparent crime victim if the apparent crime victim wants the officer to discontinue use of the officer's body camera. If the apparent crime victim responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

3. **When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation,** a Federal law enforcement officer shall, as soon as practicable, ask the person seeking to remain anonymous if that person wants the officer to discontinue use of the officer's body camera. If the person seeking to remain anonymous responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

4. **Any defective body camera model who claims, pursuant to a written affidavit, to have a reasonable basis for believing a video may contain evidence that exculpates a client.**

5. **The right to inspect subject to subsection (j)(1) shall not include the right to possess a copy of the body camera video footage, unless the release of the body camera footage is otherwise authorized by this part or by another applicable law. When a body camera fails to capture some or all of the audio or video of an incident due to malfunction, displacement of a body camera, or any audio or video footage that is captured shall be treated the same as any other body camera audio or video footage under this part.**

6. **LIMITATION.—**The right to inspect subject to subsection (j)(1) shall not include the right to possess a copy of the body camera video footage, unless the release of the body camera footage is otherwise authorized by this part or by another applicable law. When a body camera fails to capture some or all of the audio or video of an incident due to malfunction, displacement of a body camera, or any audio or video footage that is captured shall be treated the same as any other body camera audio or video footage under this part.

7. **Any Federal law enforcement officer who is wearing a body camera shall notify any subject of the recording that he or she is being recorded, their designated legal counsel, or any other member of the public who is a subject of the video footage, including a reduction of the video footage's resolution, shall be permitted.**

8. **Notwithstanding the retention and deletion requirements in subsection (i), the following shall apply to body camera video footage under this part:***

(a) **Body camera video footage shall be automatically retained for not less than 3 years if the video footage captures an interaction or event involving—**

(A) any use of force; or

(B) an stop about which a complaint has been registered by a subject of the video footage.

(b) **Body camera video footage shall be retained for not less than 2 years if a longer retention period is voluntarily requested by—**

(A) the Federal law enforcement officer whose body camera recorded the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value in an ongoing investigation;

(B) any Federal law enforcement officer who is a subject of the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value;

(C) any superior officer of a Federal law enforcement officer whose body camera recorded the video footage or who is a subject of the video footage, if that superior officer reasonably asserts the video footage has evidentiary or exculpatory value;

(D) any Federal law enforcement officer, if the video footage is being retained solely and exclusively for police training purposes;

(E) any member of the public who is a subject of the video footage;

(F) any parent or legal guardian of a minor who is a subject of the video footage; or

(G) a deceased subject's spouse, next of kin, or legally authorized designee.

(c) **PUBLIC REVIEW.—**For purposes of subparagraphs (E), (F), and (G) of subsection (j)(2), any member of the public who is a subject of video footage, the parent or legal guardian of a minor who is a subject of the video footage, or a deceased subject's next of kin or legally authorized designee, shall be permitted to review the specific video footage in question in order to make a determination as to whether they will voluntarily request it be subjected to a minimum 3-year retention period.

**DISCLOSURE.—**Except as provided in paragraph (2), all video footage of an interaction or event captured by a body camera, if that interaction or event is requested by a member of the public, shall be provided to the person or entity making the request in accordance with the procedures for requesting and providing government records set forth in the section 552a of title 5, United States Code.

**EXEMPTIONS.**—The following categories of video footage shall not be released to the public in the absence of express written permission from the non-law enforcement subjects of the video footage:

(A) **Video footage not subject to a minimum 3-year retention period pursuant to subsection (i).**

(B) **Video footage that is subject to a minimum 3-year retention period solely and exclusively pursuant to paragraph (1)(B) or (2) of subsection (i).**

**PRIORITY OF REQUESTS.—**Notwithstanding any time periods established for acknowledging and responding to records requests in section 552a of title 5, United States Code, responses to a written request for video footage not subject to a minimum 3-year retention period pursuant to subsection (j)(1)(A), where a subject of the video footage is recorded being killed, shot by a firearm, or grievously injured, shall be prioritized and, if approved, the requested video footage shall be provided as expeditiously as possible, but in no circumstances later than 5 days following receipt of the request.

**USE OF REDACTION TECHNOLOGY.—**

(A) **IN GENERAL.**—Whenever doing so is necessary to protect personal privacy, the right to know, the identifying characteristics of a confidential source or crime victim, or the life or physical safety of any person appearing in video footage, redaction technology may be used to obscure the face, any person who is personally identifiable of that person, including the tone of the person's voice, provided the redaction does not interfere with a viewer's ability to fully, completely, and accurately comprehend the events captured on the video footage.

(B) **REQUIREMENTS.**—The following requirements shall apply to redactions under subparagraph (4):

(i) When redaction is performed on video footage pursuant to this paragraph, an unedited, original version of the video footage shall be retained pursuant to the requirements of subsections (i) and (j).

(ii) Except pursuant to the rules for the redaction of video footage set forth in this subsection or where it is otherwise expressly authorized by this Act, no other editing or alteration of video footage, including a reduction of the video footage's resolution, shape, or size, shall be performed.

(m) **PROHIBITED WITHHOLDING OF FOOTAGE.**—Body camera video footage may not be withheld from the public on the basis that it is an investigatory record or was captured or used in law enforcement purposes where any person under investigation or whose conduct is under review is a police officer or other law enforcement officer and the video footage relates to that person's conduct in their official capacity.

(n) **ADMISSIBILITY.**—Any video footage retained beyond 6 months solely and exclusively pursuant to subsection (i) shall be admissible as evidence in any criminal or civil legal or administrative proceeding.

(o) **CONFIDENTIALITY.**—No government agency or officer, or law enforcement agency, officer, or official may publicly disclose, release, or share body camera video footage unless—

1. **doing so is expressly authorized pursuant to this part or another applicable law; or**

2. **the video footage is subject to public release pursuant to subsection (i), and not exempted from a public release pursuant to subsection (i).**

(p) **LIMITATION ON FEDERAL LAW ENFORCEMENT OFFICER VIEWING OF BODY CAMERA FOOTAGE.**—A Federal law enforcement officer shall review or receive an accounting of any body camera video footage that is subject to a minimum 3-year retention period pursuant to subsection (j)(1)(B) or (2) of subsection (j) prior to viewing or receiving any required initial reports, statements, and interrogations regarding the recorded event, unless doing so is
necessary, while in the field, to address an immediate threat to life or safety.

(q) ADDITIONAL LIMITATIONS.—Video footage may not be—

(1) the case of footage that is not subject to a minimum 3-year retention period, viewed by any superior officer of a Federal law enforcement officer whose body camera recorded the footage absent a specific allegation of misconduct; or

(2) divulged or used by any law enforcement agency for any commercial or other non-law enforcement purposes.

(p) THIRD PARTY MAINTENANCE OF FOOTAGE.—Where a law enforcement agency authorizes a third party to maintain body camera footage, the agent shall not be permitted to independently access, view, or alter any video footage, except to delete videos as required for law enforcement retention policies.

(q) ENFORCEMENT.—

(1) IN GENERAL.—If any Federal law enforcement officer, or any employee or agent of a Federal law enforcement agency fails to adhere to the recording or retention requirements contained in this section, a court of competent jurisdiction, upon a showing of good cause, may enter an appropriate order or judgment for the enforcement of such requirements.

(r) ADDITIONAL LIMITATIONS.—Video footage captured by a body camera during or after its operation—

(A) may not be—

(i) limited to any criminal or civil action or proceeding between a Federal law enforcement officer and a second party.

(ii) limited to any criminal or civil action or proceeding between a Federal law enforcement officer and a second party.

(B) a rebuttable evidentiary presumption shall be adopted in favor of a criminal defendant who reasonably asserts his evidence was destroyed or not captured; and

(C) a rebuttable evidentiary presumption shall be adopted on behalf of a civil plaintiff suing the Government, a Federal law enforcement agency, or a Federal law enforcement officer for damages based on misconduct who reasonably asserts his evidence was destroyed or not captured.

(r) PROOF COMPLIANCE IMPOSSIBLE.—The discriminatory action requirement and rebuttable presumptions described in paragraph (r) may not be overcome by contrary evidence or proof of exigent circumstances that made compliance impossible.

(s) USE OF FORCE INVESTIGATIONS.—In the case that a Federal law enforcement officer equipped with a body camera is involved in, a witness to, or within viewable sight range of either the Federal law enforcement officer or another law enforcement officer that results in a death, the use of force by another law enforcement officer, during which the discharge of a firearm results in an injury to a Federal law enforcement officer whose body camera recorded the event subject to a criminal investigation—

(1) the law enforcement agency that employs the law enforcement officer, or the agency or department conducting the related criminal investigation, as appropriate, shall promptly take possession of the body camera, and shall maintain such camera, and any data on such camera, in accordance with the applicable rules governing the preservation of evidence;

(2) the body camera shall be made in accordance with prevailing forensic standards for data collection and reproduction; and

(3) such copied data shall be made available to the public in accordance with subsection (l).

(t) LIMITATION ON USE OF FOOTAGE AS EVIDENCE.—Any body camera video footage recorded by a Federal law enforcement agency that violates this part or any other applicable law may not be offered as evidence by any government entity, agency, department, prosecutorial subdivision of any such entity, or any successor subdivision of any such entity, in the course of any criminal or civil action or proceeding against any member of the public.

(u) PUBLICATION OF AGENCY POLICIES.—Any Federal law enforcement agency shall publish, in a manner that allows public access, guidance regarding body cameras, their use, or the video footage therefrom that is adopted by a Federal agency or department, shall be made publicly available on that agency’s website.

(v) RULE OF CONSTRUCTION.—Nothing in this part shall be construed to preempt any laws or Executive orders needed to conceal the existence or destruction of evidence in criminal investigations and prosecutions.

SEC. 373. PATROL VEHICLES WITH IN-CAR VIDEO RECORDING CAMERAS.

(a) DEFINITIONS.—In this section:

(1) AUDIO RECORDING.—The term “audio recording” means the recorded conversation between a Federal law enforcement officer and a second party.

(2) EMERGENCY LIGHTS.—The term “emergency lights” means oscillating, rotating, or flashing lights on patrol vehicles.

(3) ENFORCEMENT OR INVESTIGATIVE STOP.—The term “enforcement or investigative stop” means an action by a Federal law enforcement officer in relation to enforcement and investigation duties, including traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assistants, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance.

(4) IN-CAR VIDEO CAMERA.—The term “in-car video camera” means a video camera located in a patrol vehicle.

(b) REQUIREMENTS.—

(1) IN GENERAL.—A Federal law enforcement officer may record audio, video, or audio-visual footage by any method while conducting an enforcement or investigative stop.

(2) RECORDING EQUIPMENT REQUIREMENTS.—In-car video camera recording equipment with a recording medium capable of recording for a period of 10 hours or more and capable of making audio recordings with the assistance of a wireless microphone.

(c) ENFORCEMENT OR INVESTIGATIVE STOPS.—A Federal law enforcement officer shall record any enforcement or investigative stop. Audio recording shall terminate upon release of the violator.

(d) RETENTION OF RECORDINGS.—Recordings made on-in-car video camera recording medium shall be retained for a storage period of at least 90 days. Under no circumstances shall any recording made on-in-car video camera recording medium be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use; unless otherwise ordered or designated for evidentiary or training purposes.

(e) ACCESSIBILITY OF RECORDINGS.—Audio or video recordings made during an enforcement or investigative stop shall be accessible at all times to Federal law enforcement officers or their agents to fulfill the public interest to permit the use of the patrol vehicle for the activation ceases to exist, regardless of whether the emergency lights are no longer activated.

(f) FACIAL RECOGNITION TECHNOLOGY.

No camera or recording device authorized or required in this Act shall be subject to facial recognition technology, and footage from such a camera or recording device may not be subjected to facial recognition technology.

(g) GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on Federal law enforcement officer training, requirements, use of force, and interaction with citizens, and submit a report on such study to the Committees on Oversight and Government Reform of the House of Representatives and the Senate.

(h) REGULATIONS.

Not later than 6 months after the date of the enactment of this Act, the Attorney General shall issue such final regulations as are necessary to carry out this part.

SEC. 377. RULE OF CONSTRUCTION.

Nothing in this part shall be construed to impose any requirement on a Federal law enforcement officer outside of the course of carrying out that officer’s duties.

PART 3—POLICE CAMERA ACT

SEC. 378. SHORT TITLE.

This part may be cited as the “Police Creating Accountability by Making Effective Recording

June 25, 2020
CONGRESSIONAL RECORD — HOUSE
Available Act of 2020” or the “Police CAMERA Act of 2020”.

SEC. 392. LAW ENFORCEMENT BODY-WORN CAMERA REQUIREMENTS.

(a) Use of Body-Worn Cameras.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(a)), as amended by section 334, is amended by adding at the end the following:

“(10) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant awarded for the fiscal year to develop policies and protocols in compliance with part OO.”

(b) Requirements.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

“PART OO—LAW ENFORCEMENT BODY-WORN CAMERAS AND RECORDED DATA

SEC. 3051. USE OF GRANT FUNDS.

“(a) In General.—Grant amounts described in paragraph (10) of section 502(a) of this title—

“(1) shall be used—

“(A) to purchase or lease body-worn cameras for use by State, local, and tribal law enforcement officers (as defined in section 2503);

“(B) to adopt recorded data collection and retention protocols as described in subsection (b) before law enforcement officers use body-worn cameras;

“(C) to implement policies or procedures to comply with the requirements described in subsection (b); and

“(D) may not be used for expenses related to facial recognition technology.

“(b) Requirements.—A recipient of a grant under part I of this title shall—

“(1) establish policies and procedures in accordance with the requirements described in subsection (a) before law enforcement officers use body-worn cameras;

“(2) adopt recorded data collection and retention protocols as described in subsection (b) before law enforcement officers use body-worn cameras;

“(3) make the policies and protocols described in paragraph (1) and (2) available to the public;

“(4) comply with the requirements for use of recorded data under subsection (f); and

“(c) Procedures.—A recipient of a grant under paragraph (1) of part E of this title shall—

“(1) develop with community input and publish for public view policies and protocols for—

“(A) the safe and effective use of body-worn cameras;

“(B) the secure storage, handling, and destruction of recorded data collected by body-worn cameras;

“(C) protecting the privacy rights of any individual who may be recorded by a body-worn camera;

“(D) the release of any recorded data collected by a body-worn camera in accordance with the open records laws, if any, of the State; and

“(E) making recorded data available to prosecutors, defense attorneys, and other officers of the court in accordance with subparagraph (E);

“(2) conduct periodic evaluations of the security of the storage and handling of the body-worn camera data;

“(d) Recorded Data Collection and Retention Protocol.—The recorded data collection and retention protocol described in this paragraph is a protocol that—

“(1) requires—

“(A) a law enforcement officer who is wearing a body-worn camera to provide an explanation if an activity that is required to be recorded by the body-worn camera is not recorded;

“(B) a law enforcement officer who is wearing a body-worn camera to obtain consent to be recorded from a crime victim or witness before interviewing the victim or witness;

“(C) the collection of data unrelated to a legitimate law enforcement purpose be minimized to the greatest extent practicable;

“(D) the secure storage of any recorded data collected by body-worn cameras to log all viewing, modification, or deletion of stored recorded data and to prevent, to the extent practicable, the unauthorized access or disclosure of stored recorded data;

“(E) any law enforcement officer be prohibited from accessing the stored data without an authorized access license or court order;

“(F) the law enforcement agency to collect and report statistical data on—

“(i) incidences of use of force, disaggregated by race, ethnicity, gender, and age of the victim;

“(ii) the number of complaints filed against law enforcement officers;

“(iii) the disposition of complaints filed against law enforcement officers;

“(iv) the number of times camera footage is used for evidence collection in investigations of crimes;

“(v) any other additional statistical data that the Director determines should be collected and reported;

“(2) allows an individual to file a complaint with a law enforcement agency relating to the improper use of body-worn cameras; and

“(3) complies with other requirements established by the Director.

“(e) Reporting.—Statistical data required to be collected under subsection (d)(1)(D) shall be reported to the Director.

“(1) establish a standardized reporting system for statistical data collected under this program; and

“(2) establish a national database of statistical data recorded under this program.

“(f) Use or Transfer of Recorded Data.—

“(1) In General.—Recorded data collected by an entity receiving a grant under a grant under part I of this title from a body-worn camera shall be used only in internal and external investigations of misconduct by a law enforcement agency or officer, if there is reasonable suspicion that a recording contains evidence of a crime, or for limited training purposes.

“(2) Prohibition on Transfer.—Except as provided in paragraph (1), no entity receiving a grant under part I of this title may transfer any recorded data collected by the entity from a body-worn camera to another law enforcement agency or intelligence agency.

“(3) Exceptions.—

“(A) Criminal Investigation.—An entity receiving a grant under part I of this title may transfer recorded data collected by the entity from a body-worn camera to another law enforcement agency or intelligence agency for use in a criminal investigation if the requesting law enforcement or intelligence agency has reasonable suspicion that the requested data contains evidence relating to the crime being investigated.

“(B) Civil Rights Claims.—An entity receiving a grant under part I of this title may transfer recorded data collected by the entity from a body-worn camera to another law enforcement agency or intelligence agency for use in an investigation of the violation of any right, privilege, or immunity secured or protected by the Constitution of the United States.

“(g) Audit and Assessment.

“(1) In General.—Not later than 2 years after the date on which the study required under subsection (a), the Director shall submit to Congress a report on the study, which shall include any policy recommendations that the Director considers appropriate.”

TITLE IV—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

SEC. 401. SHORT TITLE.

This title may be cited as the “Closing the Law Enforcement Consent Loophole Act of 2019”.

CONGRESSIONAL RECORD — HOUSE

June 25, 2020
SEC. 402. PROHIBITION ON ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) In General.—Section 2243 of title 18, United States Code, is amended—

(1) in the section heading, by adding at the end the following: “or by any person acting under color of law;”;

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

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

“(c) Of an Individual by Any Person Acting Under Color of Law.—

“(1) In general.—Whoever, acting under color of law, knowingly engages in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any Federal law enforcement officer, shall be fined under this title, imprisoned not more than 15 years, or both.

“(2) Definition.—In this subsection, the term ‘sexual act’ has the meaning given the term in section 2246; and

“(3) In a prosecution under subsection (c), it is not a defense that the other individual consented to the sexual act.”.

(b) Definition.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”;

(3) by inserting after paragraph (6) the following:

“(7) the term ‘Federal law enforcement officer’ has the meaning given the term in section 115.”.

(c) Clerical Amendment.—The table of sections for chapter 106A of title 18, United States Code, is amended by inserting the item related to section 2243 as follows:

“2243. Sexual abuse of a minor or ward by any person acting under color of law.

SEC. 403. ENACTMENT OF LAWS PENALIZING ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) In General.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, in the case of a State or unit of local government that does not have in effect a law described in subsection (b), the Attorney General shall notify the Attorney General of—

(1) the number of reports made to law enforcement agencies in that State or unit of local government engaging in a sexual act while acting under color of law during the previous year; and

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year.

(b) Reports to Congress.—

(a) Report by Attorney General.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report containing—

(1) the information required to be reported to the Attorney General under section 403(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act while acting under color of law; and

(B) the disposition of each case in which sexual misconduct by a person acting under color of law was reported.

(b) Report by GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243(c) of title 18, United States Code, as amended by section 402, committed during the 1-year period covered by the report.

SEC. 405. DEFINITION.

In this title, the term ‘sexual act’ has the meaning defined in section 2246 of title 18, United States Code.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SEVERABILITY.

If any provision of this Act, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act and the application of the remaining provisions of this Act to any person or circumstance shall not be affected thereby.

SEC. 502. STATE ELIGIBILITY.

Nothing in this Act shall be construed—


(2) to affect any Federal, State, or Tribal law that applies to an Indian Tribe because of the political status of the Tribe; or

(3) to waive the sovereign immunity of an Indian Tribe without the consent of the Tribe.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 4 hours, equally divided among and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. ORRICE) each will control 2 hours.

The Chair recognizes the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 7120. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Madam Speaker, I yield myself such time as I may conclude.

Madam Speaker, the tragic and brutal death of George Floyd has been a wake-up call for millions of Americans. Across the Nation and around the world, the streets are lined with protesters demanding fundamental change in the culture of law enforcement and meaningful accountability for officers who commit misconduct. Today, we answer their call.

We value and respect the many brave and honorable police officers who put their lives on the line every day to protect us and our communities. We know that most law enforcement officers do their jobs with dignity, selflessness, honor, and deserve our respect and gratitude for all they do to keep us safe.

But we must also acknowledge that there are too many exceptions. Too many law enforcement officers do not uphold the ethic of protecting and serving their community. Instead, the reality for too many Americans—especially for too many African Americans—is that police officers are perceived as a threat to their liberties, their dignity, and, all too often, to their safety.

To those who do not believe it, look at these tragic statistics. African Americans are more than twice as likely to be shot and killed by police each year, and Black men between the ages of 15 and 34 are approximately 10 times more likely to be killed by police than other Americans.

This is not a new problem. Our country’s history of racism and racially motivated violence is rooted in the original sin of slavery, lynchings, and Jim Crow, and systemic racism continues to haunt our Nation. We see it in the rates of COVID deaths, in our system of mass incarceration, and in the vast chasm of economic inequality, all of which fall disproportionately on the backs of African Americans. We see it in the harassment and excessive force that people of color routinely face by far too many of our police officers.

An unmistakable message has been sent to African Americans in this country that they are second class citizens and that their lives are somehow of less value. Well, let me state clearly and unequivocally that Black lives matter.

George Floyd mattered.

Breonna Taylor mattered.

Eric Garner mattered.

Amadou Diallo mattered.

Tamir Rice mattered.

Walter Scott mattered.

Laquan McDonald and so many others mattered.

Rayshard Brooks mattered, and the countless other people who have lost their lives at the hands of law enforcement mattered.

For far too long, pleas for justice and reform have fallen on deaf ears in Congress. But that changes today. The George Floyd Justice in Policing Act would finally allow for meaningful accountability in cases of police misconduct, and it would begin the process of reimagining policing in the 21st century.

This legislation makes it easier for the Federal Government to successfully prosecute police misconduct.
cases. It effectively bans chokeholds, ends racial and religious profiling, encourages prosecutions independent from local police, and eliminates the dubious court-made doctrine of qualified immunity in civil rights lawsuits against law enforcement officers.

At the same time, it works to prevent police violence and bias through a series of front-end approaches aimed at encouraging departments to meet a gold standard in training, hiring, de-escalation strategies, body cameras, and other best practices.

The bill also ends no-knock warrants in drug cases, stops the militarization of local policing, and requires the collection of data on a number of key policing matters which would be made public, including the first ever national database on police misconduct incidents to prevent the movement of dangerous officers from department to department.

It also creates a new grant program for community-based organizations to create local commissions and task forces on policing innovation to re-image how safety can work in a truly equitable and just way in each community.

I want to thank the sponsor of this legislation, the gentlewoman from California (Ms. Bass), for her tremendous work in crafting a bill that is at once bold and transformative, while also taking a responsible and balanced approach to the many complicated issues associated with policing.

I also want to thank the activists across the country who are leading the protests. It is because of you that we are here today considering the most significant reforms to policing in a generation. It is because of your energy, your determination, and your demands for justice that the Nation has awakened to the need for action.

I know that everyone in this Chamber mourns those who have lost their lives at the hands of law enforcement. We are not perfect, and we will not get it right every time. But today is our opportunity to offer the cooperative spirit in which you have worked regarding this matter and others between our respective Committees.

Sincerely,

ADAM SMITH, 
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,

Hon. Adam Smith,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

Dear Chairman Smith: I am writing to you concerning section 365 of H.R. 7120, the “Justice in Policing Act of 2020.”

I appreciate your willingness to work cooperatively on this legislation. I recognize that section 365 of the bill contains provisions that fall within the jurisdiction of the Committee on Armed Services. I acknowledge that your Committee will not formally consider H.R. 7120 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7120 which fall within your Committee’s Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER, 
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,

Hon. Jerry Nadler,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

Dear Chairman Nadler: I am writing to you concerning H.R. 7120, the “Justice in Policing Act of 2020.” There are certain provisions in this legislation that fall within the jurisdiction of the Armed Services Committee.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, I will not formally consider H.R. 7120. We do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction.

Please ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you for your cooperation in this matter and others between our respective Committees.

Sincerely,

Frank Pallone, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,

Hon. Frank Pallone, Jr.,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

Dear Chairman Pallone: I am writing to you concerning section 362 of H.R. 7120, the “Justice in Policing Act of 2020.”

I appreciate your willingness to work cooperatively on this legislation. I recognize that section 362 of the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider H.R. 7120 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7120 which fall within your Committee’s Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER, 
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,

Hon. Jerrold Nadler,
Chairman, Committee on Judiciary, Washington, DC.

Dear Chairman Nadler: I write concerning H.R. 7120, the “Justice in Policing Act of 2020,” which was referred to the Committee on Energy and Commerce (Committee).

In recognition of the desire to expedite consideration of H.R. 7120, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the Congressional Record during floor consideration of H.R. 7120.

Sincerely,

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, what happened to George Floyd last month in Minneapolis was tragic, horrific, and as wrong as wrong could be. His family deserved justice, and I hope they get that swiftly. Bad police officers must be held accountable, and misconduct, and justice must be carried out.

While we focus on rooting out the bad apples, we need to remember that the overwhelming majority of law enforcement officers are good people who put themselves in harm’s way to keep the rest of us safe.

We need meaningful legislation that increases training, ensures transparency, holds accountable, and guarantees that tragedies similar to what happened in Minneapolis don’t happen again.

This moment in our great Nation’s history demands that we work together across the aisle to fashion legislation that works, legislation that actually makes a real and lasting difference.

Unfortunately, Democrats haven’t done that, and they show no sign of wanting to do that. They didn’t consult us, and they put together this legislation.

In committee just last week, Republicans offered 12 thoughtful and good amendments, every single one voted down—every single one.

In the Senate just yesterday, Democrats voted to not even debate a commonsense proposal put forward by Senator Scott.

Now, it is interesting. There was some bipartisan support for moving to debate. Two Democrats and one Independent voted with the Republicans, yet Democrats chose partisanship over real reform.
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We need reform, but House Democrats have delivered a bill that is designed to keep cops in the car; and when you do that, it makes our communities less safe by preventing good law enforcement officers from being able to do their job. That is why this bill is good for cops. Now is not the time to cripple the men and women who so selflessly serve our communities.

This bill has serious due process concerns for law enforcement officers.

Bad officers must be held accountable for their crimes. No one disputes that. But this bill would punish unadjudicated allegations against officers, including officers who may be innocent of those allegations.

This bill will make our law enforcement officers less safe by prohibiting them from obtaining surplus equipment from our Federal Government.

We had an amendment in the committee that says: What about just allowing folks on the border dealing with the cartels, dealing with the terrorists they deal with down there, what about letting those law enforcement agencies have access to surplus military equipment? Democrats said no. That was one of the 12 amendments they said no to.

This equipment allows officers to protect themselves and the communities they serve. For example, armored vehicles in Texas were used to rescue people from rising floodwaters during Hurricane Harvey, and helmets saved the lives of officers who were shot at while responding to the terrorist attack at the Pulse nightclub in Orlando in 2016.

And this bill does nothing to address the calls for defunding and dismantling police departments. Frankly, I have never heard such a crazy idea. This concept, the most insane public policy proposal I have ever heard—and I have been in politics a few years—will certainly make our communities less safe.

It is a real failure of leadership that the Speaker and the chairman chose not to even seek any Republican consensus, any Republican input on the legislation. Rather than working with us in the House to put forward meaningful bipartisan solutions, Democrats have rushed this bill to the floor and have put forward extreme measures, knowing these measures will not pass the Senate and will not get to the President’s desk.

Just last week, we held a markup for this bill. As I said, every single one of the Republican amendments were rejected by my Democrat colleagues, all 12 of them.

Fortunately, President Trump has led the way and signed an executive order last week that will invest more energy and resources in police training, recruiting, and community engagement. We have consulted with many of the law enforcement folks on our side, like the sponsor of our legislation, Mr. STAUBER, 20 years as a commander in the Duluth Police Department. That community engagement is essential.

That is what is also in the President’s executive order, this in addition to his many achievements over the past 3 1/2 years, including record low unemployment, a booming economy, the 2017 tax cuts, the USMCA, the FIRST STEP Act, and the law you passed and on the Senate SCOTT bill. As I said Mr. STAUBER introduced in the House, also gets to the heart of the issue without hamstring the men and women who faithfully serve our communities. It focuses on training, accountability, and transparency.

It provides additional training for our law enforcement officers in de-escalation tactics and the duty to intervene when an officer is observing excessive use of force. It provides more funding for body cameras and for the storage of the footage.

It prevents bad officers from going from department to department and creates an enhanced penalty for the falsifying of police reports. It is a bill that has these elements, and a bill that should pass the Senate and get signed into law by the President.

Now is the time for us to come together as Americans and continue to make this country the greatest nation ever.

Madam Speaker, I urge my colleagues to oppose this bill, and I reserve the balance of my time.

Mr. NADLER. Madam Speaker, Mr. JORDAN is correct. The Democrats in the Senate did indeed oppose the Republican bill because that bill is a sham designed to look as if it is doing something, designed to look as if it is having some reform while, in fact, doing nothing, just more sham and just more sham histrionics designed to make sure that nothing real passes and that nothing changes.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Speaker, I thank the chairman.

Madam Speaker, I rise in support of the George Floyd Justice in Policing Act because Black lives matter.

Police killed George Floyd over a counterfeit $20 bill as if his life didn’t matter.

Police in Atlanta, Georgia, killed Rayshard Brooks for running away as if his life didn’t matter.

Breonna Taylor, Kathryn Johnston, Tamir Rice, Walter Scott, Philando Castile, Eric Garner, and a long list of others, each killed by police and robbed of their constitutional right to due process.

None of these notorious killings moved Congress to act. It took regular folks of all races, creeds, and colors to the streets in every part of this country, even in the face of a global pandemic, to tell the world that we had had enough police killing Black folks. Our people need to know that we hear them. And Congress knows that on the one hand, President Trump's cronies, like Roger Stone and Michael Flynn, can lie to Federal investigators only to receive a get-out-of-jail free card from the President’s protector, Attorney General William Barr. But on the other hand, regular Black folks, like George Floyd and Rayshard Brooks—accolsed for broken-taillight types of offenses—get executed by the police acting as judge, jury, and executioner.

The only way that Congress can prove to the American people that we believe that Black lives matter is for all of us—Republicans and Democrats alike—to take legislative action, to stop police from brutalizing and killing Black people—not tomorrow, not next year. Now.

Madam Speaker, in the name of Michael Brown and the citizens of Ferguson, Missouri, let’s demilitarize police departments.

The Independents in the Senate voted for it. In the name of George Floyd and Eric Garner, let’s ban chokeholds and make it easier for police departments to fire bad cops.

In the name of Tamir Rice, let’s enact a national registry of bad cops.

Madam Speaker, for the people of the United States demanding action, let’s pass the George Floyd Justice in Policing Act now.

Mr. JORDAN. Madam Speaker, I would just point out, the chairman of the committee said that Democrats rejected Senator SCOTT’s bill yesterday. Not all of them. Not all of them. A couple of them voted for it—bipartisan support. In fact, that is the only proposal that has bipartisan support right now—Senator SCOTT’s bill. In fact, it has tri-partisan support because one of the Democrats voted for it. So it is not accurate to try to characterize Senator SCOTT’s legislation the way the chairman did.

Madam Speaker, I yield 4 minutes to the distinguished gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Madam Speaker, I thank the gentleman for yielding me the time and for his tremendous work on this issue.

Madam Speaker, I am disappointed. I am disappointed by the fact that we had an opportunity today to make real bipartisan and meaningful reform. Yet, that is not the bill that is before us today.

I am disappointed the Democrat leadership seems more interested in passing a bill through the House than having actual solutions signed into law. And I am disappointed the bill before us today punishes good police officers.

Madam Speaker, this is very personal to me. One month ago, my community lost one of our own. George Floyd was born in Fayetteville, and members of his family still live in our community.

I was honored to be asked to speak at his memorial service, where I promised his family and our community that I would work to create real and meaningful reform.
After listening to many leaders in our community, as well as talking to many here in Congress, it became clear that there is a lot that Republican and Democrat leaders agree on: We agree on banning chokeholds, increasing police accountability, and information-sharing, improving training, reforming no-knock warrants, and increasing the use of body cameras.

The reality of our divided government is that for any legislation to become law, it has to pass the Democrat-controlled House, the Republican-controlled Senate, and be signed by the Republican President. The Democrats introduced this legislation with no input from Republicans. It jammed it through the committee without accepting any constructive input or amendments.

Now, many Republican amendments would have strengthened this bill—like increasing the penalty for lynching and blocking unions from protecting bad cops. It removes qualified immunity for police officers. That means any police officer can be dragged into civil court by any disgruntled person they ever come in contact with.

Madam Speaker, we all agree bad cops shouldn’t be able to hide behind qualified immunity. Representative Ben Cline and I introduced an amendment that would have earned the support of a majority of this House and would have solved this problem, but the Democrats wouldn’t allow it. Now, why would they do that?

Madam Speaker, my colleagues across the aisle may have the votes to pass this measure in the House, but this legislation is already dead on arrival in the Senate, and the President would never sign it.

They would say to the families who mourn the loss of life, they would say to the people who march for justice, that 100 percent of nothing is better than 80 percent of what they propose in this bill. They want you to believe the failure to get real reform is the thought of the Republicans when they have shut us out of the process, and they blocked us from having an open debate in the Senate.

Wake up, America. The Democrats in Congress hope you aren’t smart enough to see the truth. Wake up and demand that your elected officials work together to get you the reform that all people who care demand. Tell them to stop this charade while there is still time.

Madam Speaker, we owe it to the memory of George Floyd and to good police officers who risk their lives every day to protect us. I am committed to continuing to fight for meaningful reform and for healing in our communities, and I ask my colleagues on both sides of the aisle to stop the political games and answer the cries heard from my constituency.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, I rise today in strong support of the George Floyd Justice in Policing Act. Mr. HUNTSMAN. Madam Speaker, I think the world of Mr. HUDSON, but Mr. HUDSON wasn’t in the markup or the hearing of the Committee on the Judiciary on this bill. And what they would have seen is what I saw and what I put into the Hildreth today.

I saw shams. I saw ruses. I saw them bringing up antifa. I saw them bringing up “Russia hoax,” bringing up Michael Flynn. They brought up abortion. They didn’t talk about George Floyd. They didn’t talk about attacks on African Americans. They didn’t talk about justice and making it better. They brought up sham issues to try to divert the American people’s eyes to what is the Trump train propaganda machine. And they were on it.

They brought up the sister of a slain officer in Oakland thinking that they were going to change the narrative to the protesters and, really, the rioters. Well, it turned out it was a boogaloo member; people who are white, many of whom would call for civil war in this country for who killed that officer and then within a week killed a sheriff in Santa Cruz. You don’t ever hear them mention boogaloo. They bring up antifa. And there is nothing about antifa to be involved in any of these protests. It is unfortunate what we have seen.

This is a good bill. Its time is now. It collects data on bad cops so other police departments will know about it. It collects data on the use of deadly force. It prohibits chokeholds. It makes reforms on deadly-force usage. It sets up an independent system of judgment on officers where there won’t be home cooking and hand-in-glove law, as it has been currently, and there will be better training: Racial bias and de-es-calation.

They brought up defunding the police, that Congress has not brought up defunding the police. That is their ruse. It is “re-fund,” if anything, but it is not defund. It is embarrassing. I was embarrassed to see the Republicans did it. It was a shame on the lives of George Floyd, Eric Garner, Michael Brown, all the other people in Memphis—Steven Atkins and Darrius Stewart—they lives have been cut short by improper activities and deadly force by police officers.

Police are mostly good, but the ones that aren’t need to be brought to justice.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. JOHN- son).

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman from Ohio.

Madam Speaker, I rise to join my colleagues in voicing my great concern with the substance of this bill and the broken process by which it was produced. As we have all agreed, the issue of updating and reforming the way in which our communities are policed and strengthening the relationship between those brave Americans who serve us in uniform and the communities they serve are matters of critical importance.

The people of this country expect and deserve the Members of this body to rise to this occasion and work together to find common ground on solutions that will preserve the civil liberties of all people and protect and honor the legitimacy of law enforcement. These are not mutually exclusive pursuits. Madam Speaker, Speaker after Speaker after Speaker made amendments—that we brought to that process.

It is interesting the lens by which we see this. Anybody who watched that, I think they could see that we all heard moving testimony.

George Floyd’s brother, Philonise, was there. He testified in a very moving way. Their family attorney was there, and a panel of experts that we all heard from.

At that committee hearing, I, and all my Republican colleagues in the markup that followed, expressed our sincere desire to work together and find common ground with the Democrat majority to solve these problems. We all agreed on the core reform issues.

We talked a lot about transparency and improving training and improving termination ability for those rare individuals who serve in law enforcement and violate the law, and the legitimacy that upholds the character of our legal system.

We could have built consensus around those and other key ideas to restore faith in our institutions and build trust in our communities. But, unfortunately, just 10 days after introduction of the bill, the majority marked up the final version that we are voting on without input from input from Republican Members. They blocked us out of the room, and then denied us, as our ranking member, JIM JORDAN, just said, they denied a dozen amendments—good-faith amendments—that we brought to that process. What a tragedy that is.

Madam Speaker, you have to ask yourself, because my constituents are asking themselves, people back home are asking why. Why would they do this? Why would they do this?

They block us out of the room, and then the other side shuts us out of the room, when everybody acknowledges this is a real problem, that we need bipartisan solutions to it.

My good friend, Senator TIM SCOTT, explained it well yesterday in his epic speech on the floor of the Senate after the Democrats on the other side spiked and killed his bill. He explained the process: That he went to CHUCK SCHUMER, the leader over there, and the current Senate Democrats, he went to each of them individually to find out what their concerns were with this bill to figure out how to fix it.

Well, it turned out it was a boogaloo member; people who are white, many of whom would call for civil war in this country for who killed that officer and then within a week killed a sheriff in Santa Cruz. You don’t ever hear them mention boogaloo. They bring up antifa. And there is nothing about antifa to be involved in any of these protests. It is unfortunate what we have seen.

This is a good bill. Its time is now. It collects data on bad cops so other police departments will know about it. It collects data on the use of deadly force. It prohibits chokeholds. It makes reforms on deadly-force usage. It sets up an independent system of judgment on officers where there won’t be home cooking and hand-in-glove law, as it has been currently, and there will be better training: Racial bias and de-es-calation.

They brought up defunding the police, that Congress has not brought up defunding the police. That is their ruse. It is ‘re-fund,’ if anything, but it is not defund. It is embarrassing. It was embarrassing to see the Republicans did it. It was a shame on the lives of George Floyd, Eric Garner, Michael Brown, all the other people in Memphis—Steven Atkins and Darrius Stewart—they lives have been cut short by improper activities and deadly force by police officers.

Police are mostly good, but the ones that aren’t need to be brought to justice.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. JOHN- son).

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman from Ohio.

Madam Speaker, I rise to join my colleagues in voicing my great concern with the substance of this bill and the broken process by which it was produced. As we have all agreed, the issue of updating and reforming the way in which our communities are policed and strengthening the relationship between those brave Americans who serve us in uniform and the communities they serve are matters of critical importance.

The people of this country expect and deserve the Members of this body to rise to this occasion and work together to find common ground on solutions that will preserve the civil liberties of all people and protect and honor the legitimacy of law enforcement. These are not mutually exclusive pursuits.

Madam Speaker, Speaker after Speaker after Speaker made amendments—that we brought to that process.

It is interesting the lens by which we see this. Anybody who watched that, I think they could see that we all heard moving testimony.

George Floyd’s brother, Philonise, was there. He testified in a very moving way. Their family attorney was there, and a panel of experts that we all heard from.

At that committee hearing, I, and all my Republican colleagues in the markup that followed, expressed our sincere desire to work together and find common ground with the Democrat majority to solve these problems. We all agreed on the core reform issues.

We talked a lot about transparency and improving training and improving termination ability for those rare individuals who serve in law enforcement and violate the law, and the legitimacy that upholds the character of our legal system.

We could have built consensus around those and other key ideas to restore faith in our institutions and build trust in our communities. But, unfortunately, just 10 days after introduction of the bill, the majority marked up the final version that we are voting on without input from input from Republican Members. They blocked us out of the room, and then denied us, as our ranking member, JIM JORDAN, just said, they denied a dozen amendments—good-faith amendments—that we brought to that process. What a tragedy that is.

Madam Speaker, you have to ask yourself, because my constituents are asking themselves, people back home are asking why. Why would they do this? Why would they do this?

They block us out of the room, and then the other side shuts us out of the room, when everybody acknowledges this is a real problem, that we need bipartisan solutions to it.

My good friend, Senator TIM SCOTT, explained it well yesterday in his epic speech on the floor of the Senate after the Democrats on the other side spiked and killed his bill. He explained the process: That he went to CHUCK SCHUMER, the leader over there, and the current Senate Democrats, he went to each of them individually to find out what their concerns were with this bill to figure out how to fix it.
He offered first, in good faith, five amendments to the bill, then 20. Then he said he would do a manager’s amendment, basically to change much of the substance of his bill just to get something over the lines so we could solve the problem. And you know what happened? They gave us the stiff arm, to use our football metaphor.

Why is that? Because they want to preserve this as a wedge issue for the elections in the fall. That is why.

And Tim Scott said better than we could, he recommended every American to watch the video of his speech on the floor. This reality leaves us at an impasse today, and it makes perfectly clear that this bill in its current form goes too far. As Congressman Jordan has explained, it ties the hands of American law enforcement, jeopardizes the safety of every American. We have to oppose it.

Madam Speaker, I urge my colleagues to do so, and it is a shame it has come to this.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume. You have a lot of errant nonsense on the floor. But it must not go unrebuted.

Ms. Basu, the chairperson of the Black Caucus and the chairperson of our subcommittee talked personally to the Republican leader, Mr. McCarthy, and got nowhere. The Committee on the Judiciary’s staff talked to the Republican staff of the Committee on the Judiciary and got nowhere. The Republican amendments that Mr. Jordan advanced at the markup, his wonderful amendments, included antifa, the Seattle autonomous zone, stripping out the entire underlying legislation, defunding police departments, and adding a death penalty to antilying legislation passed by the House.

Of course, we wouldn’t accept these amendments. They couldn’t utter the phrase ‘Black Lives Matter’—and could barely express the subject of police reform. Instead, their amendments—and I have given you about half of them just listed here—were errant nonsense, off-topic, dealing with imaginary things like antifa. They are not imaginary; they are real. And if you don’t believe me, go talk to Andy Ngo, the journalist in Portland, who was attacked by antifa, who the President of the United States designated as a terrorist organization.

And to have the chair of the Judiciary Committee on the House floor say these words: “Imaginary things like antifa”? They are far from imaginary. And there are people in every major city in this country who know that, and yet the chair of the Judiciary Committee just made that statement. That is scary.

So when we say we weren’t consulted and they talk about—when you have that kind of attitude, we had good, thoughtful amendments in that committee. No, no, no, we can’t deal with it, because their attitude is antifa is imaginary. It is far from that. Go ask that journalist in Portland, who just a year ago was beaten up by those individuals. That is ridiculous.

I yield 4 minutes to the gentleman from Rhode Island (Mr. Cicilline).

Mr. CICILLINE. Madam Speaker, Dr. Martin Luther King, Jr., visited my district in April of 1967. Almost a year and a half ago, the shooting of a young man, named Timothy Thomas, the city, police representatives, community leaders, and local and Federal officials entered into something called the Collaborative Agreement—emphasizing de-escalation procedures; increased transparency; and independent citizen complaint authority to investigate allegations against police officers; and use of automatic body cameras, among other reforms.

The Collaborative Agreement implemented many of the reforms that we are discussing today: Revised use-of-force policies and procedures; demilitarizing police departments; and added a death penalty to antilying legislation passed by the House.

Last week in the Judiciary Committee, as has been mentioned, we offered a dozen reasonable, thoughtful amendments to improve this bill. But it was rejected by the majority, every single one.

Improving police-community relations is a critical issue that we should be working on together to solve, which could have a real and lasting positive impact on preventing future senseless acts of violence.

We should also be working together to honor the memories of all those lost in the recent unrest, including George Floyd, Daunte Wright, Andrew Brown, and Breonna Taylor; David Dorn. Doing so would serve as a beginning to a healing process to emerge a stronger, more unified Nation.

Madam Speaker, I represent Ohio’s First Congressional District, which includes much of the city of Cincinnati.

Back in 2002, following protests and civil unrest over the shooting of a young man, the death of a young man named Timothy Thomas, the city, police representatives, community leaders, and local and Federal officials entered into something called the Collaborative Agreement—emphasizing de-escalation procedures; increased transparency; and independent citizen complaint authority to investigate allegations against police officers; and use of automatic body cameras, among other reforms.

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I yield 4 minutes to the gentleman from Ohio (Mr. Chabot).

Mr. CHABOT. Madam Speaker, despite what you may hear and read from the mainstream media, there is actually a lot of common ground between the legislation that we are considering today here and the legislation that I am an original cosponsor of recently introduced by Senator Tim Scott and here by Pete Stauber. We ought to pass those provisos that we agree on and continue to discuss and debate the things we don’t.

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Madam Speaker, I represent Ohio’s First Congressional District, which includes much of the city of Cincinnati.
Madam Speaker, these and other proposals from my colleagues are reasonable and would improve the legislation that we are considering today.

I hope that Democrats and Republicans here in the House can work together with the Senate to get meaningful legislation to the President, just as we did with the coronavirus legislation, before another life is lost.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we agree on some things: nothing meaningful. The Republicans agree on studies, not on action. They agree on nothing that will add accountability to the police, nothing that will prevent police brutality, nothing that contributes in any way to Black Lives Matter.

They will not agree to banning chokeholds. They will not agree to changing the mens rea statutes so we can hold brutal officers accountable. They will not agree to banning no-knock warrants in drug cases. They will not agree to ending qualified immunity.

They will agree to studies. They will agree to gestures. They will agree to shams. Their whole approach is a shambles. Their whole approach is a bad-faith act to dismiss the will of the public out of hand.

Today, with this bill, we have the opportunity and the obligation to ensure that George Floyd's death and the death of so many are not in vain. Their lives matter. Black lives matter. The Senate act is an inadequate response to the decades of pain, hardship, and devastation that Black people have and continue to endure as a result of systemic racism and lax policies that fail to hold police accountable for misconduct.

This bill fails, unfortunately, short of the comprehensive reform needed to address the current policing crisis and achieve meaningful law enforcement accountability.

It is deeply problematic to present this moment with a meager incremental approach that offers more funding to police and few policies to effectively address the constant loss of Black lives at the hands of police.

Passing watered-down legislation that fails to remedy the actual harms resulting in the loss of life is a moral statement that is inconsistent with a genuine belief that Black lives matter.

Further, any attempt to amend or salvage the Senate act will only serve to check the box and claim reform, when in actuality no meaningful, and they claim to be comprehensive reform needed to address the current policing crisis and achieve meaningful law enforcement accountability.

Passing watered-down legislation that fails to remedy the actual harms resulting in the loss of life is a moral statement that is inconsistent with a genuine belief that Black lives matter.

House Democrats hoped to work in a bipartisan way to create meaningful change to end the epidemic of racial injustice and police brutality. However, it is disappointing that the Senate GOP has ignored the voices of hundreds of thousands of people peacefully calling for justice. And day in and day out, week in and week out, for the past month.

The Senate proposal mimics words of real reform but takes no action to make any difference. It is inadequate and unworthy of support from Congress, day in and day out.

During this moment of anguish, which we want to turn into action, it would be a moral failure to accept anything less than transformational change.

But it is clear that the White House has zero interest in real change. Yesterday, the White House went so far as to issue a veto threat, stating that the George Floyd Justice in Policing Act would deter good people from pursuing careers in law enforcement.

No. Mr. President, good people are pursuing careers in law enforcement. Determing chokeholds is not going to deter good people from pursuing careers in law enforcement. That is a White House concern.

Hundreds of people are dying. Vetoing this will make the White House what? Ignoring of this epidemic?

The George Floyd Justice in Policing Act is a bill that American people are insisting on, that this moment in history demands. Another shameful, bad-faith act to dismiss the will of the public out of hand.

Two weeks ago, Philonise Floyd, the brother of George Floyd, testified so beautifully and powerfully before Mr. NADLER’s committee, the Judiciary Committee, on this legislation. He said that day: “The people marching in the streets are telling you enough is enough. Be the leaders that this country, this world, needs.” That was his challenge to us.

Mr. NADLER. Madam Speaker, I urge a strong bipartisan vote to pass the George Floyd Justice in Policing Act. Justice is for George by passing this bill.

Madam Speaker, I thank the distinguished chairman for all of his leadership and work on these issues, not only today and this past month but over time. I urge an “ayes” vote.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Madam Speaker, I agree with what was just
said. This is here to talk about justice, and justice is supposed to be blind to everything, race, socioeconomic status, blind to politics.

It was interesting just a few minutes ago that when confronted with an amendment, they didn't like, they chose to deal with their collective bargaining agreements on things that actually do pander and stop us from getting at the bad actors in the police departments from going on. The Democrats chose not to talk about it, to walk away and obfuscate and not talk about it.

That was an amendment, frankly, that the chairman didn't list because the chairman understands that that is a problem that needs to be worked on, and we could have, but we didn't.

The bill does not do, in fact, what it is said to do. Some of the provisions of this bill actually will hurt the police officers and the police in our community. It doesn't help; it actually hurts. There are many things that do help, and we can work on those.

The Speaker of the House just said that passing a watered-down bill is wrong. Well, I will tell you what else is wrong. It is coming to the floor of this House and passing this bill change anything because it will not. And stopping the Senate bill from going forward and having amendment and having process is wrong as well because the only way the two bodies will come together and find the common ground and denominator to actually pass a bill—I have been on this floor before, many times, having to remind our colleagues that simply coming to this floor and passing something doesn't make it law.

In this case, it is more important than ever to know that the Senate is working on the Republican side because they are a Republican majority. We are a Democratic majority. You are going to have Democratic bills. That is fine. The Senate will pass a Republican bill. But then you go to conference. It limits the military hardware disbursements, use of force, and it professionalizes the police.

Now, I want to answer the question of Philonise Floyd. He doesn't want his brother to be on his shirt; he wants justice.

As I conclude, Madam Speaker, I just want to answer his daughter's point. His daughter, Gianna, said: “My daddy changed the world.”

We are changing the world. We can't wait, and now is the time—not process, but reality, and making a bill that changes civil rights in this Nation.

Mr. JORDAN. Madam Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Madam Speaker, I rise today in opposition to the bill. While I have many major concerns with this attempt to federalize State and local law enforcement, I would like to specifically address the issue of qualified immunity.

Qualified immunity protects police officers, teachers, and social workers from civil liability when performing their duties in a proper manner. Should this bill become law, it would completely eliminate qualified immunity for law enforcement.

Now, I know that many of my colleagues on the other side, along with many well-meaning folks around the country, think that that is a good idea, but they have been fed a false narrative. So, let me break a few myths surrounding qualified immunity and explain why it is so important to protect it.

One of number one: If you are a good police officer, you have nothing to worry about. That is absolutely not true. Imagine this scenario, and this is one that occurs every day in departments across America. You are attempting to make an arrest. The suspect physically resists arrest. The suspect is now fighting the police, and the officer uses empty-hand techniques to secure him. But the suspect is injured while being lawfully and properly served.

The officer has done nothing wrong, properly followed the law, followed department policy and agency training,
I ask you to listen to them and vote ‘no’ on this legislation.

Mr. NADLER. Madam Speaker, the gentleman stated a moment ago, I think he said 60 or 65 percent of police officers who got qualified immunity did not violate constitutional rights of the victims. Well, he is conceding, in other words, that in 40 or 30 percent, or whatever it is, of the time when qualified immunity is granted and holds officers accountable, they have violated the constitutional rights of victims is one of the reasons why we must change the doctrine of qualified immunity.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Madam Speaker, I thank the gentleman for yielding.

Let me just quickly reply to what the gentleman from Florida (Mr. RUTHERFORD) said.

There is a difference of policing in this country, and we are just asking to fix it. To the Members on the other side who may have African-American children, let me just tell you the difference really quickly. America is crying and America is grieving for the victims of excessive force. That is not part of the deal.

Symptom number two: Qualified immunity is always granted by the courts. This also is not true. In fact, courts only grant qualified immunity to officers 57 percent of the time. In the majority of the cases where qualified immunity was granted, it was determined that officers did not violate anyone’s constitutional rights.

Under current law, even if the court grants the officer qualified immunity, the plaintiff can still sue the agency for alleged ineffective training or policies.

Symptom number three: Qualified immunity gives officers free rein on the job. That is absolutely false. It is not true. In order for qualified immunity to apply, an officer must have followed the law, followed agency policy, followed all the proper training. If he violates any of those, he is on his own and open to civil litigation.

Madam Speaker, law enforcement is too dangerous a profession that deals in split-second decisions. Most people in this room have no idea what it is like. Every day in a high-stress situation whether a suspect is pulling out a gun or a cell phone. They never wrestled a man to the ground who is fighting like hell to evade arrest.

Police are not taught to watch a video in slow motion over and over again to figure out what to do. That is why qualified immunity exists. In fact, the U.S. Supreme Court just confirmed it.

We cannot be so eager to make major policing reforms on the Federal level that we overcorrect and prevent good officers on the street from being able to do their jobs. We should not put our communities at that kind of risk.

The time of the gentleman has expired.

Mr. JORDAN. Madam Speaker, I yield an additional 30 seconds to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Madam Speaker, I want to invite my colleagues on the other side of the aisle to reconsider this legislation. Not one single point will destroy the bedrock of law enforcement in this country, and I know there are members across the aisle that understand that because they have been there; they have done that; they have made those arrests.

Last year, NYPD officers fired their weapon 35 times. That is 35 times in a police force of 36,000 in a city of more than 8 million, and millions more communities and tourists. Five African Americans were killed by the NYPD in the entire year, four of whom had a gun or knife.

You won’t hear this on the House floor from the other side today. But approximately 6,000 White Americans were killed by police than African Americans each year, both in total numbers and in proportion to their encounters with police.
Supporting this legislation, which targets the police, might make people feel better about themselves in the short run but would result in more crime and murder in the minority communities, which already suffer from inadequate health care, housing, and educational opportunity.

Just in the past month, we have seen shootings increase dramatically in cities such as Chicago and New York, where shootings are at their highest level in 25 years.

It is time to be honest. It is not a peaceful protest when businesses are wrecked and looted, when rocks and bricks and Molotov cocktails are thrown at cops and more than 300 police officers are injured, as we are seeing right now in New York.

No, police are not perfect—none of us are, that is for sure—but they do outstanding work. Just last month, this House, under Democratic leadership, passed the HEROES Act, recognizing the great work of the police in combating COVID–19. How things change in one month.

My father was in the NYPD for more than 30 years. I have been to too many wakes and funerals of cops who have made the ultimate sacrifice, laying down their lives for others.

Police deserve more than this legislation, the them for society’s ills. It is time to stand with the men and women in blue who put their lives on the line for all of the rest of us every day of the year. I strongly urge a “no” vote.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Madam Speaker, I thank the distinguished chair for yielding and for Democratic leadership.

Madam Speaker, we have a national problem here in America of police violence, police brutality, and the police use of excessive force. It requires a national solution. That is why Congress should pass the George Floyd Justice in Policing Act.

Here in America, every Black mother and every Black father has to have the talk with their child about what to do when approached by the police because any encounter can turn deadly, not because of criminal conduct but because of the color of their skin.

Just ask the family of Amadou Diallo, the family of Sean Bell, the family of Eric Garner, the family of Tamir Rice, the family of Walter Scott, the family of Oscar Grant, the family of Stephon Clark, the family of Breonna Taylor. Just ask the family of George Floyd, who narrated his own death for 8 minutes and 46 seconds and called for his mama.

It is a difficult conversation. I had to have the talk with my two sons, and I knew what to say word for word because my father had the same talk with his two decades ago, and nothing has changed.

So all of us in this Chamber, whether you are a Democrat or Republican, should want to make sure that people like our good friend and colleague CEDRIC RICHMOND shouldn’t have to have the same talk with his beautiful Black son, 6-year-old little Ced.

We have an opportunity to change things in America. That is what we should do. To the protesters: We hear you; we see you; we are you. We are sick and tired of being sick and tired.

America is a great country. We have come a long way. We still have a long way to go.

We are tired of police violence in a country where the Declaration of Independence promises life, liberty, and the pursuit of happiness.

We are tired of police violence in a country where the Pledge of Allegiance promises equality and justice for all.

We are tired of police violence in a country where the Constitution promises equal protection under the law.

We are sick and tired of being sick and tired. That is why we should act.

It is time to end racial profiling, time to criminalize the chokehold, time to demilitarize the police, time to end qualified immunity, time for a national standard of due process, time for a database on police officers, time to expand the Justice Department Office of Civil Rights’ jurisdiction, and time for the George Floyd Justice in Policing Act so we can continue our country’s long, necessary, and majestic march toward a more perfect Union.

Mr. BIGGS. Madam Speaker, I ask unanimous consent that I be permitted to control the balance of the Republican time.

There was no objection.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentelman from Arizona (Mr. BIGGS) will control the balance of the Republican time.

Mr. SWALWELL. Madam Speaker, I yield the gentleman for yielding.

Black lives matter. My two grandsons, who are Black, their lives matter. I don’t want anything bad to happen to them.


What happened to George Floyd was terrible, and bad cops or cops that do bad things have to be held accountable. But we have to recognize that the vast majority of law enforcement officers are good, honest people trying to help our community and protect our community.

We can’t throw the baby out with the bathwater, as the saying goes. We need a bipartisan bill because you guys know, I know you are passionate, I know you believe in this, but you also know that this bill that you are pushing through without negotiating with Republicans on is not going to go anywhere.

So, if you actually want something done, you have to negotiate with Republicans because, after all, they have a majority in the Senate, and we have a Republican President.

I ask that we work on a bill that not only holds police officers that do bad things accountable, but that does not undermine law enforcement so that they can do what they need to do to protect our society.

I have talked to numerous law enforcement officers and police chiefs in my district. All of them, every single one of them, said there are portions of this Democrat bill that would undermine their ability to protect us in our communities.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BIGGS. Madam Speaker, I yield the gentlewoman from Arizona an additional 30 seconds.

Mrs. LESKO. Madam Speaker, I ask my Members, both Republican and Democrat, to call on the people who are violent out in our streets, people who are looting, people who are tearing down statues, people who are setting autonomous zones—in the one in Seattle, they killed somebody there—please, let’s try to heal our country together.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. Swalwell).

Mr. SWALWELL of California. Madam Speaker, I thank the gentleman for yielding.

I support this bill because Black lives matter.

Gianna Floyd, the 6-year-old daughter of George Floyd, said, “My daddy changed the world.” We are here to prove that she is right.
Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Madam Speaker, I rise today and feel frustrated and frustrated with this legislation and the dysfunction of this legislative body.

Police work is vital, sometimes thankless, sometimes dangerous.

My oldest son is a police officer, and we talked about these issues long before the events of the last several weeks. He recently had to put on a vest and police multiple times, protests where, Madam Speaker, I prayed to God he would not turn violent and someone would get hurt. So it is near and dear to my heart, as well as some Members on the other side of the aisle.

It is not an economic issue. It is an issue of America, it is an issue of rights, and meaningful change is needed now.

All across this country, our constituents, our neighbors, and, yes, my family, are begging us to step forward and lead, to come together for reform.

We see these demonstrations in our cities and towns across this Nation, and we all agree reform is needed, yet yesterday in the Senate, constructive legislation proposed by Senator SCOTT was killed by Democrats despite a commitment to full debate on the floor and amendments.

We apparently don’t want to legislate, do we?

I have actively reached out for substantive discussion on this bill with the sponsor to offer input and support, to no avail.

I spoke with Ms. Bass today, and she hopes maybe we will set up a work group, but not until we vote on this Democrat-developed bill, without the ability to even consider a single amendment.

Heaven forbid we legislate. Senator SCOTT was correct in his speech yesterday: the issue is about not what action we take, but about who takes and can claim the action.

My colleagues in the other party are so focused upon election messaging, they overlook some critical things.

We have needed to address these issues for decades. Even when a Democrat was in the White House and the Democrats controlled both bodies of this legislative body, this legislation was still not passed. This issue will not go away. I think we agree on that. It is staying.

Lacking action, this issue will become more heated and divisive in our communities across this Nation.

What do you say we all simply focus on doing our current jobs rather than worrying about the November election? What do you say, how about we actually legislate to achieve effective reforms instead of messaging, because messaging right now is a disaster for this Nation?

We should all in this body feel ashamed for taking up space and time when we are solving the problem. God help us all.

Mr. RASKIN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would like to respond to the assertion that we have not been willing to work with the Republicans on this important legislation. Allow me to set the record straight in detail on where we are and how we got here.

We introduced a comprehensive policing reform bill 18 days ago. We explained to our colleagues in the minority that we initiated the process by developing comprehensive legislation with Senators BOOKER and HARRIS as well as with our caucus. We also explained the importance of moving quickly given the moment we were in as a Nation.

Since that time, we have indicated to the minority that if they are interested in developing legislation that they could support, we needed to understand how they wanted to change the bill and whether those changes would lead them to support the bill.

Chair Bass has reached out to the minority leader to Senator SCOTT, and we have reached out to the minority over the course of the last 10 days. We held a hearing 2 weeks ago in which the minority invited three witnesses.

The minority did not share a single amendment with us before last week’s markup. The minority refused our offer to review and work with them on specific amendments they offered, that we indicated we could support if we had the opportunity to review and discuss before we go to the floor.

That is their right, of course, but in my experience, when a Member would like the majority to support their amendments, they would ordinarily share the text with us in advance. That did not happen here.

I would also note that some of what we saw is in the bill now, and we have not received a single outreach regarding this important matter from either the Trump Department of Justice or the Trump Department of Justice.

Again, in my experience, if there were a serious and good-faith effort to enact legislation, the White House would seek to work with both sides of the aisle and both sides of the Capitol. That has not happened thus far.

Chair Bass and I and the others on our side of the aisle have remained open to a full and frank discussion with the minority about their possible support of real and meaningful policing reform legislation. That has not happened thus far.

But it is my hope that the Senate will take up meaningful legislation—the legislation that Senator SCOTT has offered was hardly meaningful—but I hope they will take up meaningful legislation and I hope that we can work with them to pass meaningful legislation.

Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Madam Speaker, the whole premise of civil government is that we will be safer inside the social contract than outside of it, the state of nature which Thomas Hobbes famously described as a state of war, solitary, poor, nasty, brutish, and short.

So we give up the habits of violent self-help for trust in the rule of law and the impartial administration of justice.

But where was the American social contract for George Floyd as Officer Chauvin asphyxiated him with his knee as he begged for his life; or Breonna Taylor, a 26-year-old EMT who was shot eight times in her own bed by offic- ers serving a no-knock warrant; or Tamir Rice, a 12-year-old boy who had a water fight in the park, and then was shot dead by a police officer getting out of his car?

The American social contract has always been contaminated by racism. In the words of the Supreme Court in the Dred Scott decision, our Constitution began as a “White man’s compact” in which the African American had “no rights the White man was bound to re- spect.”

The Civil War gave us the chance for a new birth of freedom, but after 12 years of reconstruction, it was washed away by the KKK and Jim Crow.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RASKIN. Madam Speaker, American apartheid lasted until the modern civil rights movement, when the blood sacrifice of John Lewis and Medgar Evers, Schwerner, Chaney, and Goodman, and Dr. King gave us the Civil Rights Act of 1964 and the Voting Rights Act of 1965, but we have been brought back to the baseline of violent white supremacy by a reactionary Supreme Court and a President who looks into the souls of white supremacists and sees “very fine people.”

This is the real deep state in America: violent white racism.

Black Lives Matter and America’s young people have given us the chance to launch a new birth of freedom, a third reconstruction in America. Let’s start today with the George Floyd Justice in Policing Act.

Mr. BIGGS. Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. GOHMERT), my friend.

Mr. GOHMERT. Madam Speaker, I thank my friend from Arizona for yielding.

There have been tragedies in this country, and yet it still hasn’t been
How did we forget 9/11 so quickly, when we saw example after example of their willingness to sacrifice?

Look, this is not going to do anything. This immunity removal is going to help the law enforcement unions. They will make a fortune, like teachers’ unions, insurance, but it is going to keep law officers tied up in civil court instead of criminal court, and it is going to leave criminals on the street.

Madam Speaker, I say to my colleagues, ‘vote no’ on this bill.

Mr. NADLER. Madam Speaker, what do we hear from our Republican friends? “Marxism,” “antifa” — anything but dealing with the problem.

Madam Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. JAYAPAL).


I rise for Eric Reason, Stephon Clark, Dominique Clayton, Alton Sterling, Michael Brown, Terence Crutcher, Janisha Fonville, Oscar Grant, Freddie Gray, Laquan McDonald, Michelle Susceaus, Akai Gurley, Jamar Clark, Ariane McCree, Frank Smart, Natasha McKenna, Tony Robinson, Anthony Hill.


I rise for all of our Black brothers, sisters, and siblings who have been killed by law enforcement in this country.

But, Madam Speaker, it is not enough just to say their names. It is not enough just to say that Black lives matter. We must fight for Black lives and for real transformative justice.

Let us pass the George Floyd Justice in Policing Act as a bold, urgent, necessary first step. It bans no-knock warrants for drug cases. It establishes a public police misconduct registry. It reforms qualified immunity and ends racial profiling by law enforcement.

It requires reporting of incidents of use of force, stops, and searches, and the demographics of those involved, too.

It demilitarizes law enforcement by restricting the transfer of military equipment to local police departments.

It finally classifies lynching as a Federal hate crime and gives the Department of Justice the power to subpoena law enforcement departments for patterns and practices going on.

And so critically important, it invests money into Black and Brown communities to reimagine what policing should look like, so everyone is safe.

Madam Speaker, hundreds of thousands of people in communities across America are standing up and speaking out for bold reform, organizing day after day, night after night, in big cities and small towns. They have not just forced a necessary conversation; they have prompted necessary action.

So let us, today, heed these righteous voices of the powerful movement on the ground so local communities, led by Black voices, can move forward on transformational changes. That begins today by passing the George Floyd Justice in Policing Act.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Madam Speaker, it is going to be hard to think of something original to say, but I will give it a go.

First of all, I would like to point out that nobody I know defends Derek Chauvin. And nobody I know doesn’t have sympathy for George Floyd and his family. That should go without saying.

The question is, what can we do to prevent this sort of thing in the future? I personally believe that part of the problem stems from the close relationship that big city governments have with the local unions.

I had introduced a bill when I was in the State legislature about 13 years ago making it easier to get rid of an underperforming policeman. That bill went nowhere, as most of these bills go nowhere because very few people are willing to take on the unions.

That being said, when I introduced the bill, I did expect it would save lives and would pass. I expected it to save Black lives, and I expected it to save White lives.

Right now, you can Google Heather Mac Donald. She’s pretty good on this issue.

First of all, the number of lives lost in which an unarmed person was shot by a police officer has fallen over the last 4 years, from 70 lives to 28 lives, which is a good step in the right direction. It doesn’t mean we shouldn’t do more. We should do more.

The second thing I will point out is, when adjusted for violent crime, actually, a higher percentage of White people are killed by police than Black people, and it offends me that we don’t do anything about that. We try to racialize the issue.

The same day Breonna Taylor died, Duncan Lemp died in a situation,
killed by the police, the exact same situation. But you don’t hear about it talked about by anybody in this body or anybody on national TV. You know why they don’t talk about it? Because they want to tear this country apart.

Now, to talk about when Black people are killed by police, and they want to make White people feel guilty and not like America. But if you look at the studies, that is what it shows.

Now, hopefully, these local governments can do something to make it easier to get rid of bad cops. But let’s look at how this bill affects the average person. The majority of cops, the vast majority of cops, are great cops. What do we do to them? What if that is you take away qualified immunity, which means if you are a police officer, you become afraid to arrest somebody, you become afraid to resist somebody. What happens when we have a timid, neutered police force?

Right now, in Milwaukee—I don’t represent Milwaukee, but my districts goes right up to it—the number of murders this year has increased from 37 to 72 murders in the first 5-plus months, this year compared to last year.

Does anybody care about all the people who are dying in the city of Milwaukee who aren’t killed by police? I don’t think a lot of people care about that. All they want to do is tear down the police.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BIGGS. Madam Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. GROTHMAN) an additional 30 seconds.

Mr. GROTHMAN. Madam Speaker, then, finally, you talk about Black Lives Matter. I want to talk about Black Lives Matter a little bit.

You look on their website, and they are talking about cutting the number of police next year. What effect will that have on people dying? Does anybody care? I don’t think a lot of people care about that.

Already, they have cut the number of police this year, and they are talking about cutting the number of police next year. What effect will that have on people dying? Does anybody care? I don’t think a lot of people care about that. All they want to do is tear down the police.

Today, we are seeking to repair some faults in our policing system, a policing system whose foundation was built upon two pillars of experiences, one by a group of people who came to America of their own free will in search of freedom, the other by a group of Americans who came to America against their will and were enslaved for 244 years.

Vestiges of that system are still evident in today’s law enforcement culture. chokeholds on Black arrestees, no knock entries into Black residences, militarized police forces in Black communities, and qualified immunity are all intended to preserve rather than serve, intended to protect perpetrators of excessive use of force rather than improve conditions and communities.

Today, House Democrats and I, hope, some of our Republican colleagues will say by their votes that enough is enough, that it is time to apply the greatness of America equitably and to all our citizens.

But we cannot stop here. Recent occurrences have exposed and shone a spotlight on inequities in our healthcare system, inadequacies in our educational system, and inappropriate- ness in our electoral system. Liberty and justice for all remains a deferred dream for far too many.

Job losses, difficulties in healthcare, eviction threats—people are trying to catch their breath. If they can’t breathe, they can’t hope.

As a proud South Carolinian, I believe in and try to live by that principle: ‘‘While I breathe, I hope.’’ With the passage of the George Floyd Justice in Policing Act, we will all breathe a little freer and gain a little more hope.

Mr. MCCAIN. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. MCLINTOCK).

Mr. MCLINTOCK. Madam Speaker, 13 years ago, I partnered with California State Senate Democrats in advocating for an open records act for complaints against police officers. Five years ago, I cosponsored HANK JOHN- son’s Stop Militarizing the Police Act. This year, I cosponsored JUSTIN Amash legislation to end qualified immunity for public officials.

So if the majority was seeking bipartisan support for police reform, they would have had it. If they had sought consultation, compromise, and co- operation, if they had reached across the aisle, they would have found many sincere allies among Republicans.

My views on law enforcement were shaped years ago when I had the honor to work for the former Los Angeles police chief, Ed Davis. His approach to law enforcement proved highly effective.

While crime increased dramatically across the rest of the country during military hard, in local communities, under Chief Davis, it came down. He believed in the policing principles of Sir Robert Peel, that the police are simply an extension of the community. Chief Davis believed that, and he practiced it.

I introduced the Basic Car Plan that matched patrol officers with individual neighborhoods so that they would become a familiar, recognized, and trusted presence in those neighborhoods.

I believe the closer we adhere to these principles, the more effective law enforcement will become and the fewer abuses we will see.

Major parts of this bill move us closer to these principles, including the need to open police records of misconduct, the restriction of no-knock warrants, the restriction of transfers of firearms, the requirement to eliminate the purchase of military hardware, to local police departments, and the encouragement of police cameras.

If these provisions were presented as standalone bills, I think many would probably gain significant bipartisan support. But by rolling them into a bill that imposes an ideological laundry list of operational restrictions and pro- cedures upon every police department in the country, it makes this bill unwise, unworkable, and unsupportable.

Worse, it ignores the most serious problem we face: the protection of bad cops by collective bargaining agreements that makes it all but impossible to fire them.

Policing is a uniquely community-based function. New York, New York, and Auburn, California, are very different places with very different needs, challenges, and standards. Running and micromanaging every local police department is far beyond our competence or authority.

So, even though there are provisions in the bill I strongly support, I cannot support the attempt to federalize local police departments, which moves us further down a slippery slope I fear we are already on.

Looking at the wreckage on our streets, I feel the ultimate target of
the left is not isolated abuses by law enforcement officers but, rather, law enforcement itself.

As we can now plainly see, without law enforcement, there is no law. And without law, there is no civilization.

Finally, I strongly condemn the sentiments expressed in so many forums that America is systemically racist. There are racists of every color in every society. It is the baser side of human nature.

But no nation has struggled harder to transcend that nature and isolate and ostracize its racists than have Americans. The American Founders placed principles in the Declaration of Independence that they believed would someday produce a nation of free men and women of all races and religions, together enjoying the blessings of liberty under the equal protection of our laws. Lincoln denounced any other claim as “having an evil tendency, if not an evil design.

An evil tendency and an evil design are exactly what the radical left has introduced into our society, and it is tearing our country apart.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlwoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Madam Speaker, I joined the police department in 1984. Few words can describe the feeling that I had when I took my oath to protect and serve. I took it to heart.

We all know the majority of police officers do the job well every day. But today is about those who don’t, those who should have never been hired, or those who have forgotten their oaths of office.

Police misconduct has resulted in the deaths of George Floyd, Breonna Tay- lor, and Rayshard Brooks—people who should not have died.

As Members of Congress, our primary responsibility is the health, safety, and well-being of the American people. We have made progress. We have come a long way, but we still have a ways to go. Good police officers want us to get there. They need us to help them improve the profession that they love.

As a former police officer and a police chief, I am supporting the George Floyd Justice in Policing Act. Passing this bill will change much. I ask my colleagues to vote for it and pass this legislation.

Mr. BIGGS. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. Crenshaw).

Mr. CRENSHAW. Madam Speaker, I rise today in opposition to this bill, which is unfortunate because it doesn’t have to be this way. There is actually a lot of agreement on much of this bill.

Honestly, I was pleasantly surprised when I read it, and if we voted on this section by section, I believe there are some areas where there would be an overwhelming bipartisan majority for some necessary and crucial reforms.

There are other parts where, if we just worked together and made some changes, we would likely get to yes on a lot of these. But as it stands now, it doesn’t directly defund the police, but it certainly will result in less policing.

I need to say, though, the communities were trying to help the most. There isn’t a community meeting out there that is asking for less police. Minority neighborhoods or high crime neighborhoods want more police.

Now, they want better policing, but they want more of it.

In the Senate, Democrats wouldn’t even debate Senator Scott’s bill. Here in the House, Democrats won’t let Republicans offer a single amendment.

What reason could the majority possibly have for refusing to work with us?

When Americans are demanding that we work together toward common goals, why won’t Democrats do so?

This is sad, cynical politics. The Speaker of the House would rather call Republicans murderers than work with us on solutions.

But it was never really about police reform. The majority’s eyes and actions are fixed on November, not police reform.

It is not too late. I urge my colleagues to do the right thing and work with us to send a bill that the President will sign.

Mr. NADLER. Madam Speaker. I yield 1 minute to the distinguished gentleman from California (Mr. CORREA).

Mr. CORREA. Madam Speaker, I thank the gentleman for yielding.

I join Congresswoman Bass in support of H.R. 7120, the George Floyd Justice in Policing Act.

The tragic death of George Floyd and countless others will not be in vain. This bill is a comprehensive approach on policing that aims to end decades of systemic racism, and I ask my colleagues to join us in support of this measure.

I had hoped that arrest disparities, especially cannabis-related arrests, would have been part of this measure. According to the ACLU, Black people are more likely to be arrested for marijuana possession, and in some States they are up to 10 times more likely to be arrested for cannabis possession. We can’t ask our police officers to enforce flawed cannabis policy. Cannabis use is a social and medical issue and not a criminal matter.

Let’s not ask our police officers to do the impossible. I ask for reform in cannabis policy immediately.

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

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act.

I join Congresswoman Bass in support of H.R. 7120, the George Floyd Justice in Policing Act.

It is past time for Congress to make systemic changes on issues of racism, police brutality, and racial profiling. We must put an end to unjustified use of force by the police that has resulted in the death of one too many Black and Brown Americans.

As a person of faith, I believe the responsibility falls on each and every one of us to ensure that everyone is treated as a child of God. However, the reality is George Floyd was not treated as the child of God that he is. He wasn’t treated that way when he said his last words, “I can’t breathe.”

Justice demands that we must put an end to police brutality, racial profiling, white supremacy, and the vicious racism in America.

Justice demands that long-suffering Americans be made whole for being denied their rights as Americans.

If there is anything that history has taught us, it is that our laws must be equal to all, and we must boldly affirm that Black lives matter.

Mr. BIGGS. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HURD).

Mr. HURD of Texas. Madam Speaker, today, we are missing an opportunity to pass an overwhelmingly bipartisan bill. We are missing an opportunity for a police reform bill to actually become law. We are missing an opportunity to do our part to prevent another Black person from dying in police custody.

Everyone here believes, as I do, that whether your skin is black or your uniform is blue, you should not feel targeted in this country.

We have failed to do one simple thing: empower police chiefs to permanently fire bad cops.

This is one of the most important things Congress could have addressed. Keeping bad cops off the force could prevent another killing like George Floyd. It would protect good police officers by ensuring bad officers, like George Floyd’s murderer, don’t soil the reputations of good officers.

Just a few months ago when dealing with the COVID-19 pandemic, I worked together as one Congress—not two parties—to pass needed relief to our fellow citizens. That is the spirit that I wish was in this Chamber today.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from Colorado (Mr. Neguse).

Mr. NEGUSE. Madam Speaker, I want to extend my condolences to my good friend and to the Speaker for her recent loss.

Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act, a powerful and transformative bill that will ultimately help save lives.

In the wake of the tragic deaths of Breonna Taylor, George Floyd, Elijah McClain, Michael Marshall, and so many others, it is critical and it is our duty to act. As a multicultural and multiracial movement sweeps our Nation and as communities across the country plead for change, it lands on each of us to act.

This bill will ban chokeholds. It will bring transparency by standing up the
first ever national database of civilian police encounters, and it will provide additional tools to the Department of Justice and State attorneys general for pattern or practice investigations. We must enact these reforms. We must lead on the side of justice and equality. We must act.

Madam Speaker, I urge my colleagues to support this bill.

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

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. BIGGS).

Mrs. MCBATH. Madam Speaker, I do offer you my deepest condolences.

We stand here today keenly aware that we are living through history. Yet again, racism and injustice have opened painful wounds 400 years in the making.

I lost my son, Jordan, to those wounds. And, yes, my Black son's life did matter. With each gut-wrenching video, I am reminded of the hole left in my heart by the murder of my own son. That is my history. It is the history of far too many Black Americans, and it is a history that can never, ever be erased.

But America has always been able to rise to the tests of our time. Our future is etched in the course of our convictions, and today we must respond with bold action.

Madam Speaker, to save American lives, to create a better future for our children, and to help mend the wounds of hate and violence, our response is clear. I urge my colleagues to support the George Floyd Justice in Policing Act.

Our time is now.

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

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act.

I want to thank Chairman NADLER and Congresswoman Bass for their unwavering leadership on this historic legislation.

Black lives matter. George Floyd was murdered 1 month ago today. This month has been a painful and reflective period for our Nation, and the House has taken an essential step to heal that pain with this bill.

Today, we vote on long overdue legislation to bring greater accountability and transparency into policing and to help make everyone more safe. The specific measures included in this bill, from banning chokeholds and no-knock warrants to eliminating qualified immunity, are critical steps to improve policing practices. It includes reforms to combat racial profiling and right injustices that exist in America today.

The institutional and racial racism in our country is beyond the reach of Congress. We don't have the power to change every heart and mind, but we do have the power to change the law, to make it more just, and to combat structural racism through measurable, meaningful reforms.

Change starts here today.

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

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Madam Speaker, I, too, offer you my and my family's sympathies on the loss of your father.

Madam Speaker, it is my privilege to rise in support of this historic bill, the George Floyd Justice in Policing Act. Enough is enough.

Racial injustice has been right before our eyes for far too long—Amadou Diallo, Eric Garner, Tamir Rice, Breonna Taylor, Rayshard Brooks, and George Floyd. We can no longer turn a blind eye. We need to meet this civil rights moment of national anguish. We must insist on bold change, not surrender to a bare minimum.

Unarmed Black Americans are being murdered in the street by those who have sworn to protect and serve. This is not a Black problem. It is my problem. It is your problem. It is our American problem.

We must ban chokeholds, no-knock warrants, and finally hold officers accountable.

George Floyd's daughter said, "My daddy changed the world." Let's come together and honor her words. Let's change the world with this transformative bill.

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

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Florida (Ms. MUCARSEL-POWELL).

Ms. MUCARSEL-POWELL. Madam Speaker, my condolences. I just heard about your father.

Madam Speaker, today I rise in strong support of the George Floyd Justice in Policing Act. Today marks 1 month since George Floyd called out, "I can't breathe," as an officer suffocated him to death and two complicitly watched. The world has joined Mr. Floyd's family in demanding that we take action. South Florida and my constituents are demanding action.

We can't bring him back, but we can bring justice to his 6-year-old daughter, Gianna; his family; and his brother, Philonise.

We can put an end to chokeholds and hold every police officer accountable for their actions. We can honor the life and legacy of Breonna Taylor, whose murderers still walk free, and we can and must serve the memory of the countless other lives that have been taken and brutalized by bringing law enforcement back to their roots of protecting and serving.

The time for bold and profound action is now.

Mr. JORDAN. Madam Speaker, I ask unanimous consent that I be permitted to control the balance of our time.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio controls the balance of the time.

There was no objection.

Mr. JORDAN. Madam Speaker, I yield as much time as he may consume to the gentleman from the State of Arizona (Mr. BIGGS), chairman of the Freedom Caucus, and my good friend and great Member.

Mr. BIGGS. Madam Speaker, I thank the gentleman for yielding some time to me.

Madam Speaker, we consider something very serious today, and that is reformation of policing. And we are, as Federal elected officials, reaching into State and local police agencies. And if this bill were to become law, we are imposing the values of us collectively—because that is the way this works—on those State and local agencies.

Madam Speaker, when we had this debate in the Committee on the Judiciary, it was often pointed out by some on my side of the aisle that there was movement afoot to defund, and in some cases, even eliminate police agencies at the local and State level. And that was viewed as a ruse, as a deflection from the issue. But in reality, indeed, this bill itself will have that effect.

Madam Speaker, see, on the front side of it, you have a radical group of folks, people who are agitating to actually defund or eliminate police agencies—whether they are affiliated with my colleagues. I don't know. We have had some Members of this body suggest that their own police departments are cancerous and should be amputated. We have seen that.

And then on the other hand, though, this bill actually is a rear-guard action.

So you have a frontal attack on State and local police—eliminate them. Then you have a rear-guard action. That is what this does. It brings power to control local and State police to this body.

Madam Speaker, as my friend from California said earlier, one of the most unique things about policing is it is tied to community. So we need to consider that. We need to consider that this bill will actually have the impact that so many seem to want, and that is to attenuate State and local policing. So when we start talking about qualified limited immunity and the proper elimination of that bill, I recall that there were several Members from my side of the aisle that wished to see that. I mean, Mr. MCLINTOCK said he would like to see it done away with. Others said the same thing. But there were also efforts and attempts to modify the qualified limited immunity rules.

Madam Speaker, now why is this important? Because you need to understand that QLI does not protect a police officer from charges for illegal or unconstitutional conduct. It just doesn't. But when you totally eliminate it, the same protections that are there for, whether it is a schoolteacher

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or social worker or some other government worker, police officers will now be left without protection whatsoever. And the result will be, it will be harder to recruit, train, and retain police officers. We are not going to have the best possible police. And if you can't get any, Mr. Speaker, the day our country witnessed the brutal murder of George Floyd was a critical tipping point for America. His murder has sparked a movement—one of renewed calls for civil rights and justice for all.

Hundreds of thousands of Americans have been marching in the streets. They are not asking for incentives for studies or for task forces. No, they are asking and marching for and demanding meaningful change and meaningful reform. And it is up to us to rise up and deliver on change that will meet this moment.

Mr. Speaker, I pray that our Republican colleagues have a change of heart and decide to join us on our journey toward true reform. This bill is only the beginning as police reform comes to the whole-of-government response—from Congress, to the statehouse, to the city halls all over America.

Mr. Speaker, our country deserves no less. This moment deserves no less. George Floyd deserves no less.

Mr. ARMSTRONG. Mr. Speaker, I ask unanimous consent to control the balance of the time of the minority.

The SPEAKER pro tempore (Mr. CAS- tro of Texas). Without objection, the gentleman from North Dakota controls the balance of the time.

There was no objection.

Mr. ARMSTRONG. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I come here for two purposes: One is to express my opposition to this bill. My second purpose is to express my hope, my hope that we can come together and that we can negotiate a long-lasting and a significant compromise, an American compromise to an American problem.

Just yesterday, the Democrats in the Senate blocked Senator Tim Scott's bill, the JUSTICE Act. They blocked it from moving forward with debate. They blocked it from moving forward for compromise and for negotiation. That is not an American solution.

We all agree this is an American problem. We all agree we need an American solution, and we all agree that means we have to have negotiation. That means we have to have compromise.

Mr. Speaker, the minority leader in the Senate wouldn't even allow our counterparts in the Senate to discuss solutions and allow them to decide if it is the right path forward. Now, here we are in the House facing a situation where we have a bipartisan bill, drafted without Republican involvement, that is being brought to the House floor to be voted on in a rush process. That is not an American solution to an American problem.

We have seen calls to defund the police and dismantle police departments across the United States. We all know that can only lead to bad outcomes. We all know that the police are there to protect and to serve.

Yes, we all know that there are bad policemen out there. We all know there are bad actors in every profession, and we know that they need to be weeded out. We need to do that. And we also know that those bad policemen are as offensive to the good policemen as they are to anyone. No one wants to see them. We need our good policemen to want to see them weeded out. This bill does nothing to address those calls and reassure Americans that things will happen.

No, this is a partisan bill with no Republican involvement whatsoever. This bill also doesn't take appropriate steps to ensure that law enforcement officers are working to improve their relations with the community—the community that they serve and protect. We have all seen when we need law enforcement. You ask any policeman, any good policeman out there, “What is the best police practice?” And they will tell you “Community policing.” That is what we want.

Mr. Speaker, instead, this bill limits their ability to do their jobs, and it keeps them in their cars rather than interacting with the people in their communities. That is what they want to do. They want to serve you. They want to protect you. They want the money. We know that. There is not a single police person out there that is there for the money. They are there to protect and to serve. And they want community policing. That is what they want.

Mr. Speaker, in my district, we had a tragic death of a young man whose life ended way too early—Ahmaud Arbery. This was something that none of us should accept in our society, and none of us will accept. It should have never happened.

We have had protests. We should have protests. I am very proud of the First Congressional District because our protests have been productive. Yes, we should protest and, yes, we are protesting. And we are getting results because we are protesting in the right way. We are protesting to change the system. That is what we want to do. We are protesting to have an American solution to an American problem.

Mr. Speaker, the right path forward is discussion and negotiation with our eyes, with our goal, with our mission set on real reforms. This bill doesn’t do that. This bill represent that. This bill is not an American solution to an American problem. That is why I am urging my colleagues to oppose this bill. That is why I am urging my colleagues to negotiate, to compromise. That is why I am encouraging my colleagues to come up with an American solution to an American problem.
Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Minnesota (Ms. Omar).

Mr. Speaker, I rise today on behalf of the people of my city of Minneapolis, who are angry, who are sick, who are tired of being murdered at the hands of police.

I rise on behalf of Jamar Clark, who was shot in the back and killed by Minneapolis police in 2015.

I rise on behalf of Philando Castile, who was brutally murdered by police.

I rise on behalf of George Floyd, who was brutally murdered, and his brutal murder touched our Nation.

I rise because so many can no longer rise. This is a system that provides equal justice for everyone here in America, we might finally all rise.

I rise on behalf of Eric Garner, Sandra Blant, Frederick Gray.

I rise because Breonna Taylor was killed by a system that allowed police to blindly fire 22 shots, killing an unarmed woman in her home, and says that is not a crime.

I rise because Breonna Taylor’s story, though tragic, is not unique. Because far too often, that system is more interested in shielding those who perpetrate these atrocities than seeking justice for those it is meant to serve. And because, while tragedies like Breonna’s are not uncommon, and millions must live in fear for their lives every single day—I am not one of them. People who look like me are not among them.

I rise because this system is far too badly broken for Band-Aid solutions. And this bill, the most dramatic rethinking of policing ever to come before the United States Congress, is a much-needed and long-overdue step. And every day we delay will cost more lives.

I rise because hundreds of thousands have risen up and made their voices heard and shown me the way.

And most importantly, I rise because Black lives matter.

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

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

Just today, we heard the following: “We are just going to go out and start slaughtering them.” North Carolina cops fired after racist talk of killing Black residents. “Wipe them off the map. That will put them back about four or five generations.”

That is why we say it is systemic racism.

I yield 1 minute to the gentleman from Illinois (Mr. Danny K. Davis).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of this legislation that is long overdue. As a matter of fact, people like me have been fighting these issues for years and years. And now we get an opportunity to actually vote.

I want to thank Chairman NADLER and Chairman BASS for giving us the opportunity to vote on what might become—and would be—the most important legislation we will pass this year, because it does say that Black lives, and all lives, matter.

Why democracy means Everybody but me. I, too, am America.

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

Mr. NADLER. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky (Mr. Yarmuth).

Mr. YARMUTH. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act because it is an abomination that the people who keep me safe cause others to live in fear.

I rise because I was Breonna Taylor’s Congressman, and I will continue to represent her until she gets justice because Breonna Taylor, when her door was broken down after midnight, wasn’t just killed by one cop, a bad apple, or even three.

I rise because Breonna Taylor was killed by a system that allowed police to blindly fire 22 shots, killing an unarmed woman in her home, and says that is not a crime.

I rise because Breonna Taylor’s story, though tragic, is not unique. Because far too often, that system is more interested in shielding those who perpetrate these atrocities than seeking justice for those it is meant to serve. And because, while tragedies like Breonna’s are not uncommon, and millions must live in fear for their lives every single day—I am not one of them. People who look like me are not among them.

I rise because this system is far too badly broken for Band-Aid solutions. And this bill, the most dramatic rethinking of policing ever to come before the United States Congress, is a much-needed and long-overdue step. And every day we delay will cost more lives.

I rise because hundreds of thousands have risen up and made their voices heard and shown me the way.

And most importantly, I rise because Black lives matter.

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

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

Mr. Speaker, I rise in strong support of the George Floyd Justice in Policing Act. I am an original co-sponsor of The Justice in Policing Act which will for the first time ever under federal law: 1. establish national standard for the operation of police departments; 2. mandate data collection on police encounters; 3. reprogram existing funds to invest in transformative community-based policing programs; 4. streamline federal law to prosecute excessive force and establish independent prosecutors for police investigations; 5. make lynching a federal crime to conspire to violate existing federal hate crime laws.

Among other specifics it will: make it easier for the federal government to successfully prosecute police misconduct cases, end racial and religious profiling, and eliminate qualified immunity for law enforcement.

The bill incentivizes the use of independent prosecutors for police investigations, helps equip law enforcement with body cameras, and the use of body and dashboard cameras. The legislation bans the use of choke holds and no-knock warrants the federal level and encourages states to do the same.

This bill contains no new federal funds for policing except where constitutionally-mandated for data collection and conditions accessed to federal grants based on a state’s willingness to adopt the transformative provisions in the bill. Instead it reprograms existing grants to law enforcement and reinvests in our communities by supporting critical community-based programs to change the culture of law enforcement and empower our communities to reimagine public safety in an equitable and just manner.

The “Executive Order” signed by President Trump recently was too little, too late. Surrounded by bellicose declarations of “law and order” in the face of persistent and on-going murder of Black men and women, especially our youth, it was nothing less than an insult and an attempt to deny the demands put forward by more than three weeks of protest and calls for real change by hundreds of thousands in more than 100 cities, towns and villages in every state of the union.

I view the Justice in Policing Act as a long overdue minimum federal action to address 400 years of terrorism against the African American community and other oppressed communities and our responsibility as Members of Congress to utilize the power of the voice of the people in streets in every corner of our nation to take decisive and meaningful steps to redress the centuries of brutalization of our people.

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

Mr. NADLER. Mr. Speaker, I yield the balance of my time to the gentleman from California (Ms. Bass), chair of the Crime, Terrorism, and Homeland Security Subcommittee and sponsor of this important legislation, and I ask unanimous consent that she may control the time on the majority side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?
There was no objection.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Flori-
da (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, today, we take a crucial step toward racial justice. We do it in the name of George Floyd, Breonna Taylor, Tony McDade, Corey Jones, and all of those lives unjustly taken by law en-
forcement.

We mourn and say their names on the House floor because their lives and all Black lives matter.

So let’s move to end the policing cul-
ture that lacks real transparency and accountable. Let us unite to ban bar-
baric chokeholds and build the na-
tional misconduct registry so problem-
atic police don’t just move to another town to keep a badge.

Let’s out law racial profiling, quali-

fied immunity for rights-violating po-
lice, and dangerous no-knock warrants.

This bill targets bad actors and prac-

tices and affirms the standards profes-
sional law enforcement set for them-
selves, including a duty to serve and protect.

Half-measures are not acceptable, not when men and women are killed be-
cause of their skin color.

Let’s seize this moment to dismantle the centuries of institutional racism embedded in our justice system.

By the way, in response to what the gentleman on the other side of the aisle said about an American solution for an American problem, it doesn’t get more American than making sure that justice is meted out fairly and without regard to one’s skin color.

Let us bend the arc toward justice by voting for the George Floyd Justice in Policing Act.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. Pascrell).

Mr. PASCRELL. Mr. Speaker, “The arc of the moral universe is long, but it bends toward justice,” Martin Luther
King said.

I want to thank Chairwoman Bass, Chairwoman NADLER, and Senator BOOKER for their leadership on this landmark piece of legislation.

We stand here today at a great moral reckoning. For millions of Black and Brown Americans, our country is un-
equal. The murders of Black and Brown Americans by the very people and institutions meant to protect them make clear something needs to change.

I watched the protests, I have heard the courage and cries for justice. I have marked my colleagues.

And today, we show that this House is listening.

The George Floyd Justice in Policing Act is the largest reform Congress has undertaken in generations. It is no half measure but a full measure.

The growing divide between our men and women in blue and the public they are sworn to protect is unhealthy for democracy. It is unhealthy for public safety. It is unhealthy for the brothers in blue, and I stand here as the co-chair of First Responders and Public Safety in Congress. It is time we make clear that Black lives matter and never for-
got it.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Mas-
sachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Mr. Speaker, I rise today on behalf of every Black family that has been robbed of a child, on be-
half of every family member that has been forced to see their loved one lynched on national television.

Driving while Black, sleeping while Black, we have been criminalized for the very way we show up in the world.

Under the harsh gaze of far too many, my black body is a threat, al-
ways considered armed. Centuries of institutionalized oppression will not be undone overnight, for racism in Amer-
ica is as structural as the marble pil-
ars of this very institution.

With the power of the pen, we must legislate accountability, dismantle these systems, and move in the direc-
tion of justice and healing.

The Justice in Policing Act is a crit-

ical step forward, and I applaud the leadership of the Congressional Black Caucus.

But our work is unfinished. There is a rallying cry in communities across the Nation. Black Lives Matter is a mandate from the people. It is time.

Pay us what you owe us. Our black

mandate from the people. It is time.

We live in divided government, whether we like it or not. To the ma-

r
tority, I would say: You are the major-

ity, you have the power of the po-

wer to save lives. It includes a ban on no-knock warrants that would have saved Breonna Tay-
lor’s life, a ban on chokeholds that would have saved George Floyd’s life, and the prohibition on racial profiling that would have saved Rayshard Brooks’ life.

Breonna Taylor, George Floyd, Rayshard Brooks, and so many other innocent Black lives were ended by law enforcement officers, who often faced little to no consequences for their ac-
tions.

This bill also reforms qualified im-

munity for law enforcement, which is a mar-

k to achieving justice for victims of police brutality. The Senate major-

ity’s idea of compromise is to strip this section out of the bill. I say no.

A police officer has held his knee to the neck of George Floyd for 8 minutes and 46 seconds leading to his death. This atroci-
ous act has finally forced us to con-
front the racism deeply rooted in our institutions.
Congress must act. Vote "yes" on the George Floyd Justice in Policing Act.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, racism persists in America today, and its poison pervades our institutions, creating barriers that magnify inequality and injustice. To all our Americans and communities of color, this comes as no surprise. But, unfortunately, it has taken many Americans too long to acknowledge this truth. We cannot ignore how the stains of slavery and the Jim Crow era have maintained a stronghold on our institutions.

Our criminal justice system disproportionately penalizes Black Americans and people of color with almost no accountability for those who disregard human life and dignity. But, today, we have an opportunity to right these wrongs and to tell the world that the U.S. House of Representatives believes that Black lives matter.

The George Floyd Justice in Policing Act would make much-needed reforms, from holding police accountable to combating racial profiling. When this law passes, this will make a real difference in American life. I urge my colleagues to vote "yes" on this essential legislation.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my good friend from California for her brilliant leadership on this very important matter.

Mr. JORDAN. Mr. Speaker, I rise in support of the bill, the George Floyd Justice in Policing Act of 2020. I am proud to cosponsor this long-overdue proposal to end brutality in law enforcement and to address the systemic racism that has marred American law enforcement for too long.

With this legislation, we finally say enough is enough. We have had enough of racial and religious profiling. We have had enough of no-knock warrants and chokeholds. We have had enough of qualified immunity and enough of police using military-grade equipment on our streets.

This bill will help us move from, frankly, a culture of impunity all too often in our law enforcement entities to a culture of accountability.

We serve the public, whether we are in law enforcement or whether in the halls of Congress. This bill reaffirms that this is a democracy. I am proud to support it in the memory of the murdered George Floyd.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Mr. Speaker, I rise today to speak in favor of the Justice in Policing Act. I want to commend our chairwoman of the Congressional Black Caucus for her tremendous leadership.

George Floyd, Breonna Taylor, Ahmaud Arbery, Rayshard Brooks, Elijah McClain, for them, and for all of the other innocent Black lives that matter, we need, and this bill provides, concrete Federal reforms to address the root causes of these injustices.

George Floyd and so many others like him should be alive today. With the Justice in Policing Act, we can, like the Reverend Dr. Martin Luther King said, bend the arc of justice, when all Americans will be treated with humanity and dignity by law enforcement.

During this moment of national anguish, we must insist on bold change. This legislation is necessary to save lives and to seek justice, and I am proud to cast my vote in favor of this legislation today.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Mr. Speaker, our justice system has been biased; the Trail of Tears; blankets laced with smallpox; Jim Crow laws; and, recently, Breonna Taylor and George Floyd. Justice has never been just for everyone, but only for some people.

The barriers that have long blocked many people from achieving the American Dream have been revealed most recently under the knees of police. The racism in our system is long-lasting, and change is long overdue. That is why I support the Justice in Policing Act.

This bill is a beacon of hope to victims of the systemic racism that plagues our criminal justice system. This bill envisions a new model of public safety, works to end racial bias; de-promotes de-escalation training instead of militarization; and is built on community trust, transparency, and accountability.

I urge my colleagues to vote "yes" on this historic bill.

Mr. JORDAN. Mr. Speaker, I yield as much time as he may consume to the member of the Judiciary Committee.

Mr. CLINE. Mr. Speaker, the tragic killing of Breonna Taylor, and so many others has led to a nationwide cry for action to address racism and target police violence in America.

Across the country, millions of Americans have peacefully rallied, protested, marched, and prayed for a changing of hearts and a changing of laws to pursue additional accountability and transparency in police departments.

In my home district in Virginia, I was proud to join those who stood up against racism and declare that Black lives matter. A few weeks ago, I was optimistic that we could collaborate on legislation and rise to the occasion in the wake of the many injustices that have come to light across our Nation. But, today, I am saddened, saddened that the majority has slammed the door shut on Republicans, slammed the door shut on real reform, slammed the door shut on bipartisanship, and slammed the door shut on Senator Tim Scott's proposals as we sought to work together to find a bipartisan solution.

Instead of working across the aisle on this important matter, instead of taking Senator Scott up on his offer to work together on a bill that could be signed into law, the majority is pushing a bill through the House that cannot be signed into law and that will, in fact, impede the ability of good police officers to do their jobs effectively and, further, allow bad cops to hide behind police union collective bargaining agreements.

During the markup of this legislation, my colleagues and I offered a dozen reasonable amendments in an effort to improve this bill. My amendment to ensure collective bargaining agreements do not protect racist and violent officers was rejected by Democrats at the markup and under the closed rule today, unfortunately, was not made in order.

While I do thank the gentlewoman, the chair of the subcommittee, in ensuring that portions of my amendment were included and that the Department of Justice now would have the ability to pursue bad cops through consent decrees regardless of collective bargaining barriers, it fails to directly address the many troublesome provisions found in collective bargaining agreements that my amendment would have prevented, provisions like ensuring access to evidence for officers before interviews or interrogations about alleged wrongdoing occurred; provisions delaying officer interviews after alleged misconduct; the destruction of disciplinary records—nobody wants that to be a policy of a local police department; prohibiting the investigations of misconduct after a set length of time; prohibiting the investigation of anonymous complaints; requiring arbitration after being disciplined or terminated. These are provisions that do not belong in collective bargaining agreements for our local police departments.

Between 2009 and 2017, according to The Washington Post, the Nation's largest police departments fired nearly 1,900 police officers for misconduct, but those departments were forced to reinstate more than 450 officers after appeals required by union collective bargaining agreements.

Further, collective bargaining agreements have been linked to an increase in violent incidents involving law enforcement officers. One study found a 40 percent increase of violent incidents under collective bargaining laws there. In 2006, the Bureau of Justice Statistics issued a report and found that law enforcement
agencies operating under a collective bargaining agreement garnered 9.9 use of force complaints for every 100 officers, compared to 7.3 use of force for nonunionized agencies. During the disciplinary process, only 7 percent of the complaints were sustained or found to have any discipline administered. There are active bargaining agreements. In agencies without unions, the sustain rate was more than double at 15 percent.

This was just another example, by not including my amendment, of how the majority refused to work with us on this legislation, rather than accept good amendments on our side where we could find common ground, but we were cut out of the process. There is nothing in the legislation to address the dangerous and reckless efforts by some officials further to defund, dismantle, or disband police departments.

Our dedicated police officers who serve our communities work to ensure that lawlessness does not prevail in our streets and neighborhoods. The anarchy and death that unfolded within Seattle’s autonomous zone, or CHAZ, is a perfect example of what defund the police would look like across America.

Frankly, it is no surprise that the American people are fed up with Washington. As Mr. Hudson referred to earlier, this was a moment in our history that calls for unity and healing. But, unfortunately, with eyes on November elections, the majority has decided to let politics drive their debate rather than sound public policy.

We are all outraged by the horrific tragedies that have occurred across our Nation, and it is utterly unacceptable that the legislation before us reached the House floor in such a partisan manner.

I urge my colleagues to oppose this bill in its current form, and I urge them to reconsider because to get legislation across the finish line, we need to put politics aside to eradicate racism in America, to uphold the foundational principles of our Republic and live out the motto inscribed on the Supreme Court building across the street: Equal Justice Under Law.

Ms. BASS. Mr. Speaker, I yield my self such time as I may consume. I want to thank my colleague on the other side of the aisle for the ideas that you were concerned about, and the fact that you recognized that part of your ideas were in the manager’s amendment. And so I do look forward to working with you in the future.

I want to say to several of my other colleagues on the other side of the aisle: This is a process. We have had many conversations, many conversations leading up to this, and I am sure those conversations will continue. But I am really encouraged to hear my colleagues on the other side of the aisle, number one, agree that what happened in Minneapolis was a horrific instance of violence, and that the issue of police abuse is a real issue and that the issue of systemic racism is a real issue.

I think it is important to note that because as these situations have happened before when people have been killed, even when they have been killed on video, they always seem to be up for debate. “Well, maybe we don’t really know what happened before the camera went on,” “Maybe somebody was a criminal.”

We are united on both sides of the aisle in recognizing that there is a problem in this country. There is a historic problem in this country. And I believe that we should actually stay there and move forward and have a bill. I am happy that we will be passing this bill today, but I don’t see this as the end.

Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. Boxamici).

Ms. BOXAMICI. Mr. Speaker, Black lives matter. I rise in strong support of the George Floyd Justice in Policing Act.

Black people in this country have been fighting for centuries for freedom, equality, and justice under the law. The senseless death of George Floyd is the latest tragic example of how, too often, the Black community is targeted rather than supported by law enforcement.

In Oregon and around the country, people from all backgrounds are demanding change before we today answers their call. It bans chokeholds and no-knock warrants, overturns the existing qualified immunity doctrine, creates a public national police misconduct registry, and increases accountability and oversight of Federal, State, and local law enforcement.

The bill cannot bring back George Floyd, Breonna Taylor, or the countless others who have been killed or mistreated by the very individuals who swore an oath to protect them, but we can honor their memory today by passing this legislation to prevent these abuses going forward.

I thank Chairwoman Bass for her leadership.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. Lee).

Ms. LEE of California. Mr. Speaker, I thank Chairwoman Bass for yielding and for her visionary and tremendous leadership.

Let me say a couple of things about this bill.

First of all, finally, this bill, after generations, will begin to end systemic racism in policing. Young people from all backgrounds are demanding action and have said to the world that enough is enough.

As the mother and grandmother of Black men and boys, I had too many painful experiences as do all Black families, about what to do to make sure their encounters with the police are not deadly.

The trauma around these fears are lifelong. This is not normal, but for African American parents, sadly, it is.

The tragic murder of George Floyd and so many African Americans around the country, including in my own district with Oscar Grant, demand action. These tragic murders demand justice that this bill provides, for example, by ending qualified immunity. No one is above the law.

The world is watching today, Mr. Speaker. The United Nations passed a resolution condemning the violent practices perpetrated by law enforcement against people of African descent in the United States of America. Let us show the rest of the world that we truly intend to live up to our creed of liberty and justice for all and, yes, that means also Black lives do matter.

I urge an “aye” vote.

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

Ms. BASS. Mr. Speaker, may I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 56 minutes remaining. The gentleman from Ohio has 50 minutes remaining.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. Castor).


Too many lives over too many years in America cut short at the hands of officials who were supposed to protect them, so House Democrats will act decisively today to ensure that police officers are held accountable for misconduct and that lives are saved. We will end harmful policing practices, including racial profiling, no-knock warrants, and chokeholds.

The time for change is now. In fact, a new paradigm for policing in America is overdue.

I thank my good friend, Congresswoman Karen Bass of California, for bringing us closer to justice today.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. Brendan F. Boyle).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, coronavirus has infected our great Nation for months, but racism has infected our society for centuries. Racism has infected our society for centuries, and our calls for justice. Black lives matter, and I dedicate my vote on the George Floyd Justice in Policing Act today to the generations of Tampa and the neighborhoods who have suffered the unfair burdens of discrimination, disrespect, and violence due to the color of their skin.

Too many lives over too many years in America cut short at the hands of officials who were supposed to protect them, so House Democrats will act decisively today to ensure that police officers are held accountable for misconduct and that lives are saved. We will end harmful policing practices, including racial profiling, no-knock warrants, and chokeholds.

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The time for change is now. In fact, a new paradigm for policing in America is overdue.

I thank my good friend, Congresswoman Karen Bass of California, for bringing us closer to justice today.
Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding and her leadership, along with the Congressional Black Caucus, in moving this important bill to the floor.

I rise today with Americans across the country who are demanding change. I rise in strong support of the George Floyd Justice in Policing Act.

This vital reform package addresses police brutality, law enforcement accountability, and racial injustice. It creates data collection standards, bans racial and religious profiling, end the use of chokeholds that killed Eric Garner and George Floyd, and bans no-knock warrants like the one that took the life of Breonna Taylor. It ends qualified immunity to allow full accountability.

This bill is a critical first step toward a more just nation. We cannot be a country that declares Black lives matter if we fail to make lasting changes to protect the lives of Black people.

We are facing a historic moment, and we must deliver historic change. Vote "yes" on H.R. 7120.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank Congresswoman Bass for yielding, and I thank the Congressional Black Caucus for their extraordinary leadership.

The death of George Floyd has shaken the conscience of our entire country and people around the world, and it has laid bare the racial disparities in policing that Black Americans face every day but for too long have been ignored. That is why millions of Americans are peacefully protesting across our country demanding change.

The Justice in Policing Act is bold and it is historic. It takes, head-on, chokeholds, no-knock arrests, racial profiling, and the militarization of the police. It will bring accountability and transparency to police departments across our country and raise the standards of the profession and instill best practices to ensure that all Americans feel safe when interacting with law enforcement.

This legislation is the face of justice. It will make America fairer; it will make America stronger; and every Member of this body should vote for it.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Speaker, I support the George Floyd Justice in Policing Act, which:

- Ends qualified immunity;
- Funds independent prosecutors for police misconduct;
- Strengthens the pattern and practice reviews at the Federal and State level;
- Establishes national standards for law enforcement;
- Invests in public safety innovation grants;
- Establishes a public national police misconduct registry;
- Requires data collection on the use of force;
- Bans chokeholds, and conditions Federal grants on banning chokeholds;
- Bans no-knock warrants and racial profiling;
- Permits deadly force only as a last resort;
- Establishes a duty to intervene by other officers;
- Mandates use of body cameras; and
- Prohibits sexual acts with anyone under arrest, detention, or in custody.

I have always supported law enforcement, and I still do, but today the universal cries for change and justice demand that we hold law enforcement to the same standards of justice as any other American by passing the George Floyd Justice in Policing Act now.

Mr. JORDAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. STEUH), a member of the Oversight Committee and the Judiciary Committee.

Mr. STEUH. Mr. Speaker, today I rise in opposition to this bill. House Democrats' completely partisan attempt at actual law enforcement reform. They call it the Justice in Policing Act, but this legislation would not achieve justice for anyone. Instead, it would promote anarchy and put our law enforcement officers' lives at risk. It would end legal protection for our officers who actually follow their training and protocol. It would take essential weapons and protective equipment away from our police.

In a time like today where law enforcement officers are ambushed and targeted just because of their profession, we are going take away their ability to receive protective equipment?

So not only do the Democrats want to take away an officer's legal protection if they follow their training and protocol, then they want to take away their protective vests, protective shields, and protective vehicles they rely on to keep them safe, that physically protect our officers from bullets—none of which has anything to do with George Floyd's death.

How does this make any sense? I can tell you it doesn't make any sense to the mass majority of Americans who trust that someone will be there when they call 911.

This legislation comes from the same party who has been calling to defund the police. Members of this very body have called to defund our police officers and our police departments.

I have to ask my colleagues how they think that would help. Defunding the police won't solve any problems and only poses an extraordinary risk to our citizens who depend on society's most basic governmental service of protecting life and property.

This is nothing more than an outburst of political emotion and a willingness to take advantage of civil unrest.

This civil unrest is not constructive; it is anarchy. It also does not take into account the hundreds of thousands of good police officers risking everything to keep us safe, officers like Julian Keen, Jr., from my state of Florida.

Unfortunately, you will never hear about the tragic death of this Black officer in the military transfers. It doesn't fit the left's narrative, so they ignore it. However, in Florida, we will never forget Officer Keen, who was laid to rest this week, and the positive influence that he had on our community. After the criminal who killed him found out that he was a police officer in plain clothes, he pulled out a gun and killed him.

So it begs the question: Who is really responsible for the laws in law enforcement protocols? All of these departments with all of these problems and issues are all run by Democratic commissions and Democratic city councils.

This is not a Federal issue. This is a Minneapolis police issue or an Atlanta police issue or a Ferguson issue or a Chicago issue, where just this past weekend they had one of the most violent weekends over Father's Day weekend.

This is an issue with Democratic leadership in these cities that have failed to keep up with standards, training, and protocol. Some of these departments have training standards dating back to the eighties.

"Why?" you ask. Because their Democratic leadership has failed to make necessary reforms in their departments.

And now it is the Federal Government's role to police local police departments run by a Democratic city council or commission? Will those commissions and leaders ever be held accountable?

Everyone in this Chamber wants justice for George Floyd and his family, and they will get that in a court of law, where justice belongs.

If the Democratic majority truly wants to reform our police departments and if they truly want to fix the problems, then the focus should be on the agencies with the problems and their leadership, not passing a progressive messaging bill in an election year that they know has no chance of becoming law.

This legislation doesn't get justice for anyone. Instead, it fails to address the real underlying problems, while attempting to vilify our law enforcement officers. It won't go anywhere in the Senate, and it certainly won't go to the President's desk. So let's call it what it is: a political messaging bill.

The longer we spend on this, the more time we waste not working on actual, tangible solutions. Time to put
Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say that there is absolutely nothing in our bill that calls for defunding the police.

In fact, I recall that this body funded first responders in the HEROES Act and that that bill is languishing in the Senate. So maybe my good colleagues on the other side of the aisle might call up their Senators and ask that they move on the HEROES Act. That might be the first thing to do.

This bill is not against police. In fact, this bill is calling for standards and training and accreditation. In conversations that I have had with the Association of Police Chiefs and also the Fraternal Order of Police, they said that there are 18,000 police departments across the United States, and they have been fighting for accreditation and standards for years, but it takes a very long time to do it department by department, and they encouraged this bill.

Now, granted, they don’t love the whole bill, but this part of the bill, they absolutely do.

To say that the only departments that have problems are run by Democrats is either magical thinking, fantasy, or denial. That is just not the case at all, and I would encourage my colleague on the other side of the aisle to actually examine his State.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I thank Chairwoman Bass for her extraordinary work and leadership on this bill.

When history is written, it will ask: Why did we have the George Floyd and his loved ones murdered in their homes? Why our Nation had to see Ahmaud Arbery murdered in their rooms? Why our Nation had to watch George Floyd die during an arrest? Why our Nation had to see Breonna Taylor’s name to know that there is absolutely nothing in our bill that calls for defunding the police.

Mr. Speaker, I urge every one of my colleagues to join me in supporting this important bill.

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

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise to support H.R. 7120, the George Floyd Justice in Policing Act, which bans chokeholds, creates a national police misconduct registry, and makes it easier to prosecute for their brutality, among many other much-needed provisions.

Mr. Speaker, I want to thank the Congressional Black Caucus and everybody who worked so hard to make sure that we have this moment.

The murder of George Floyd and the pleasure the murdering officer seemed to take in his power over a struggling Black man are nothing new.

My heart broke when I first saw the video footage of the murder, not just from the murder of George Floyd and his loved ones, but also because this brutality and all the police violence against Black men and women before it have been used for centuries to terrorize, subjugate, and silence the Black community.

I have been fighting against this since my first days as an activist and member of the California State Assembly, when I took on then-Los Angeles Police Chief Daryl Gates, who popularized the chokehold maneuver, which killed over a dozen Black men in Los Angeles between 1975 and 1982.

But now I would like to pay tribute to the brave men and women who for so many years have confronted bad cops, racist cops, brutal police chiefs, and the police protective leagues and unions who shield them from accountability. I want to pay tribute to Angela Davis, Elaine Brown, and the Black Panthers, who fought hard and sacrificed mightily fighting bad cops. And then there is Reverend Al Sharpton, who worked so hard for justice for aspirant bad cops and assisted their families in getting legal representation when these issues were not popular.
Mr. Speaker, I want to thank Reverend Jackson, who worked with me to confront the racist L.A. Police Chief Daryl Gates. I want to thank Colin Kaepernick, who took the knee and challenged the killings and beatings of unarmed Blacks. And finally, I want to thank Black Lives Matter: uncompromising, disruptive, energetic, and dedicated to undoing police killings and abuse.

Mr. Speaker, I want to challenge the mayors and members of city councils and county commissioners who control police budgets to get the courage to re-examine what it means to serve and protect and undo the system of rogue cops that has gone on for far too long.

In closing, Mr. Speaker, I want to say to the protesters: I stand with you.

No justice, no peace.

Mr. JORDAN. Mr. Speaker, I yield the balance of my time to the gentleman from North Dakota (Mr. ARMSTRONG), and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I rise in support of the Justice in Policing Act and to applaud Congresswoman Bass and the Congressional Black Caucus, because Black lives matter.

All lives can’t matter until Black lives matter.

I am grateful that my bill, which makes it a crime for law enforcement officers to engage in a sexual act with anyone in their custody or while exercising their authority, has been included in this bill.

What is this all about? Because sexual violence is the second-most frequently reported form of police misconduct after excessive force, yet in many States, officers can claim immunity when accused of assaulting someone in their custody.

Yesterday I held a town hall with Dr. John Gates, who shared his experience as being a Black man in America, how a piece of his soul died every time a Black man or woman dies at the hands of police, who fears his deep love of America is unrequited.

Four hundred years ago, Black men and women were brought to these shores in shackles, deprived of their humanity.

Even at the beginning of our country, African Americans were only considered to be three-fifths of a person.

Where was our humanity then and where is it now?

Racism in America did not end with the abolition of slavery. America’s original sin. It did not end with the passage of the Civil Rights Act of 1866 or 1871 or 1957 or 1964 or 1968 or even 1991. Some inevitably touted their passage as the final chapter in this long struggle to cure ourselves of the poison of racism.

Our history of pursuing civil rights in this Chamber is comprised of starts and stops, successes and failures.

Of course, passing this bill today will not end racism, but it will further the righteous cause of not just equality, but equity in this country.

Most Americans are not racists, but not enough of us are antiracist, and that is where we need to be.

Mr. ARMSTRONG. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. LOUDEMILK), my friend.

Mr. LOUDEMILK. Mr. Speaker, I thank my colleague for yielding me the time.

As I came here, I realized there is a lot happening in this country today I don’t understand. I really don’t understand.

I have a lot of friends back home. I have friends who are Black and White, Asian, Hispanic, every race, every nationality. I talk to them. They don’t understand what is happening in this Nation today.

I try to put my finger on it, but I am kind of lost of where we are going, and wherever it is we are going, why aren’t we going there together?

Why do we keep dividing ourselves and using different issues to divide ourselves?

I mean, I don’t understand why George Floyd died under the knee of a police officer. I really don’t. I was horrified when I watched the video of him. Regardless of what his race is, that was horrific. I don’t understand why that happened.

But I also don’t understand why, in response to his seeming murder, it seemed appropriate to destroy the homes, the businesses, the livelihood of innocent people who had nothing to do with it in the same community. I don’t understand that.

I don’t understand why retired Police Chief David Dorn was gunned down to death as he was trying to protect one of these businesses, a business owned by someone who had nothing to do with any of this.

I don’t understand why Shay Mikalsonis, a Las Vegas police officer, was shot in the head while attempting to disperse a group of protesters.

I don’t understand why Dave Patrick Underwood, a Federal Protective Service officer, was shot and killed while on duty amid protests in Oakland, California. I can’t wrap my hands around that.

I don’t understand why four St. Louis police officers were shot at a peaceful protest that turned violent—two shot in the leg, one shot in the foot, and the fourth shot in the arm—this bill yesterday.

I don’t understand why, in New York City, a police officer was attacked and beaten by several men, while onlookers encouraged them to do that—a police officer who had nothing to do with what happened to George Floyd or the young man in Brunswick, Georgia, or in Atlanta.

Mr. Speaker, there is something else I don’t understand. I don’t understand why, 3 years ago, this month, I was on a baseball field when a gun fired by extreme political ideology walked on the baseball field and started shooting bullets at me and many of my colleagues. I don’t understand why that happened.

Is there something else I don’t understand. As I was there in the line of fire, I don’t understand why one of our Capitol Police officers, who didn’t know anything about me—we weren’t friends at the time—walked into the line of fire to draw fire away from me and one of my colleagues so we could, hopefully, get to his partner and Matt Mika, who had been wounded by the shooter.

The Bible tells us that there is no greater love than someone who would willingly lay down their life for someone else. When I see that officer walk out in the line of fire to protect me, who didn’t know me—a Black man; I am a White man—I sometimes wonder: Why do they do that?

My dad served in the Army. He was on the D-Day invasion. I often wonder why they would step off those boats for people that they don’t know and walk into the line of fire. I mean, these are things that I really don’t understand.

I also don’t understand why we are not working together to improve law enforcement in this Nation. I don’t know why the media and some here want to take the action of one or two or a few and apply it to law enforcement all across the board when I have seen what these law enforcement officers do. They put their lives on the line daily for us.

I don’t know what the answer is, but I do know those who do. I called on the police chiefs in my district to get together, to talk about this, and we met yesterday.

There is something that we all agree on that they agree on. There are plenty of things that they want to see happen. They all agree that we should hold officers more accountable. They also agree that we should have a database to track those officers who are bad officers so they know that they are hiring people that have problems in other States or in other jurisdictions. That is a problem for them.

This is because these police chiefs, they want good law enforcement. They are there to serve the communities. They are there to uphold law and order.

Something else I don’t understand is, when we see what is going on, on TV, why some of these officers actually show up to work the next day. They go to protect the peaceful protesters, and they are attacked by the violent ones and, in some cases, get no support out of their leadership. I don’t understand why they do that.
Our police chiefs said they need more training, that they need more funding. One of the problems when it comes to cutting the budgets of our police officers and our police departments and law enforcement, usually the first thing that goes is training. They agree they need what the chiefs need.

We need more mental health support in this Nation. The police chiefs told me that I would be surprised—and I am going to go. I am going spend more time with them. I spend a lot of time with them. Sometimes they may get somebody to come out, or they may not. It puts them in a very difficult position. So, they are all about doing more, doing more with mental health issues.

There is a lot that we support. Now, I did hear it said earlier that this is not defunding the police. But let me tell you what 100 percent of the police chiefs in that meeting said to me: If you remove qualified immunity, you will be shutting down law enforcement in America because they will not be able to retain their officers. That was 100 percent of the police chiefs, and they are police chiefs in all types of demographics. I have part of Atlanta. I go all the way up into the rural parts of Georgia.

But they 100 percent said, if you remove qualified immunity, we will not keep police officers, and you will shut down law enforcement in this Nation because they may get somebody to come out, or they may not. It puts them in a very difficult position. So, they are all about doing more, doing more with mental health issues.

They want us to portray is: Let’s not paint all law enforcement as we know it. There are some things in this bill that go good bill. Every one of them was 100 percent behind: Senator Tim Scott’s bill. Every one of them was 100 percent behind what was in that bill. Now, a lot of it they already do. They banned chokeholds. They are way ahead of a lot of different departments.

There are some things in this bill they agree with, but they are also 100 percent—100 percent—against this bill. One hundred percent of the police chiefs I met with in my district, which was a pretty good mix, and another 100 percent, the police departments in America because they will not be able to retain their officers. That was 100 percent of the police chiefs, and they are police chiefs in all types of demographics. I have part of Atlanta. I go all the way up into the rural parts of Georgia.

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I don’t agree with a full abolition of qualified immunity. I don’t. My grandfather was a chief of police. I know we have all got law enforcement in our communities, and we are worried about what that will do to our law enforcement.

We are seeing it right now. We have 104 shootings in Chicago. We had 14 killings. We had a 3-year-old boy shot on the street. We have teenagers getting killed, a 324 percent increase in New York City. We had a guy get shot in the back of his head while changing his tire in New York.

We have lawlessness occurring, and this body ought to address it. The Attorney General of the United States ought to address it. We ought to enforce the laws of the United States. We ought to have a debate here about that. We ought to have a debate here about ensuring or protecting the citizenry of the United States. It is our fundamental responsibility. It is our job.

That is our duty in the Constitution, to secure the blessings of liberty. Yet we are just going to sit here and take shots across the building with a Senate bill and a House bill with no resolution, and then we are going to fly home tomorrow.

In what universe does that make sense? In what universe is that the right thing to do? In what universe are the American people looking at the people’s House and saying, “Job well done, you all, well done,” when people are dying, literally, in the streets of our country right now of all races?

What were the races of the murders in Chicago this last weekend of 104? What was the race of the 3-year-old boy who was shot?

These are real issues. Why don’t we just sit around the table and figure it out instead of litigating this in the press and taking shots across the Capitol dome?

Senator SCOTT is a good man offering a good bill, and the Speaker of the House says that we are trying to murder George Floyd again?

Come on. It is our job to secure the blessings of liberty. What I ask of this Chamber is that we sit down and figure out legislation to actually secure that and support our law enforcement.

Seventy-six million interactions of law enforcement with civilians: 99 percent of those don’t result in any kind of taking them in, and 98 percent of those don’t result in any harm.

Mr. Speaker, let’s go do our job. Let’s look at the legislation. Let’s work together and figure out how to actually do the job of securing the blessings of liberty.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), who is the majority leader.

Mr. HOYER. Mr. Speaker, we ought to come together, we ought to reason together, and we would get a better product in the legislative process. Sadly, our friends in the United States Senate don’t always do that. Sadly, when my friend’s party was in the leadership, it didn’t always do that. And, yes, from time to time, we didn’t do that.

This is an issue of critical, immediate concern, and there is a way to get to where the gentleman from Texas suggested. We need legislation in the Senate; pass legislation here; we will go to conference; and we will try to resolve our differences so we can pass a bill.

I have talked to the gentlewoman from California, the former speaker of the California Assembly, and she has told me that she doesn’t want a message; she wants a law. And I am absolutely convinced that is true. She understands the legislative process very well. But in order to initiate that process, we need to pass a bill. Of course, unfortunately, we have some constraints here on amendments because of the coronavirus.

Having said that, I hope that we pass this bill, and I hope the Senate passes a bill. Now, unfortunately, they will have to come to agreement and get 60 votes. I say “unfortunately” because Mr. McCONNELL is not prepared to get to 60 votes. We don’t have to get to 60 votes. Here, the majority rules. The majority rules the House, and the majority sponsored this bill.

Mr. Speaker, on the rostrum in front of me there are inscribed five words: “union,” “justice,” “tolerance,” “peace,” and “liberty.” It is our individual and collective responsibility as Members of this House, the people’s House, to ensure that all of these virtues are upheld in the United States.

There is justifiable anger in this country because justice is not being held up. And, in fact, it has never been upheld, but it ought to be always upheld.

There is a deep frustration because some of those charged with enforcing our laws are doing so without tolerance and in a way that disregards the rights and welfare of victims without just cause. That does not damn all members of the police—in fact, not the majority—but it does damn actions that are inconsistent with justice, peace, tolerance, and love.

Many of our people will never see the full light of liberty because of the color of their skin. The result has been a broken union and a broken peace. That is why this House must act. We must act to make it clear, beyond any doubt to every person in this country, that Black lives matter.

For far, far too long in America, Black lives did not matter. Too many people who lived in America were chattel.

Their value was not factored in dollars, by what that property was worth, not in their human value. For far, far too long, Mr. Speaker, that has been a reality and a legacy of slavery, segregation, and prejudice.

We must act to ensure that law enforcement in every jurisdiction understands that each human being is entitled to equal justice under the law and to life, liberty, and the pursuit of happiness.

We must act to ensure that no longer will we see horrific images and videos of unarmed Black men and women being killed by those who were sworn to uphold the law and keep the peace.

The bill we are voting on today is long overdue. I congratulate the Congressional Black Caucus, Ms. BASS, Senator HARRIS, and Senator BOOKER.

This bill will ban chokeholds like the kind that killed George Floyd last month, in whose memory this bill is named.

I kneel on the marble floor. My knee rejected that as something that it didn’t want to do. It was not only painful, but it was a long time: 8 minutes and 46 seconds. That was not to rest on the memory of George Floyd. He was restrained.

It would also ban no-knock warrants of the kind that led to the murder of Breonna Taylor in her own home that was mistakenly broken into by the police, and it would condition Federal funding to State and local governments on their banning racial profiling and adopting best practices for police training as identified by the Obama administration’s Task Force on 21st Century Policing.

Moreover, this bill would facilitate, under appropriate circumstances, the ability of victims to be compensated for their loss. A right without a remedy is no right at all.

I want to thank Chairwoman Bass and the Congressional Black Caucus for introducing this bill of which I am proud to be a sponsor, and I would like to thank, as well, Chairman NADLER and the Judiciary Committee for moving swiftly to mark up this legislation so we can have it on the floor today.

I said “swiftly.” It has been centuries that the dark blot of slavery and the dehumanization of some of our fellow Americans has been a reality.

Senator McCONNELL has already said that the Republican-led Senate will not even consider this bill. That is not surprising. There are 275 bills, all of which have Republican votes, sitting on Senator McCONNELL’s desk—or maybe wastebasket—so it is not surprising that he won’t consider this bill either, any more than he considered Justice Garland by a President who had 11 months left on his term. We will see
what the people say in a few short months.

If we do not consider this bill, it will be an egregious mistake and a failure to honor one of the most sacred of our Nation's precepts: that we are all created equal and we should be judged not by the color of our skin—which happens too often, too frequently, and too regularly—not by the color of our skin, but by the content of our character and the caliber of our conduct.

By siding with this bill, Senator MCCONNELL is ignoring the cries for justice from Blacks, from Whites, and from Americans of all different colors and of all different religions, all who were disdained by one facet or another, but they have in common that they are Americans governed by a Constitution and laws of our country. Senator MCCONNELL will be ignoring the history and legacy of slavery and segregation that has led to these acts.

My colleague mentioned Montgomery, Alabama, and a number of the museums. Bryan Stevenson has a museum, and he says the first thing you do when you discriminate against people is you dehumanize them. It should not be a surprise, if we have museums, dehumanized people of color that, from time to time and too often, they are not treated as human beings.

Mr. Speaker, I urge my colleagues on both sides of the aisle:

Vote for this bill. Vote for this bill even if you don’t think it is perfect.

Vote for this bill because you want to say that we want justice for every American.

Vote for this bill because you want to say that we want a remedy for wrongs. Vote for this bill to restore justice.

Vote for this bill to protect liberty.

Vote for this bill to promote tolerance.

Vote for this bill to restore peace to the families of victims and entire communities that live in fear.

And there is one more bill to prove our Union is not only a union of States, but a nation of free people united in our common pursuit of justice and opportunity for all.

The people’s House needs to do its job for all the people.

This is not an antipolice bill. It is a bill that cries out—whatever our discipline, including Members of Congress—that we act consistent with the law, consistent with the Constitution, and consistent with our moral values. We will not leave these words to only be inscribed in wood, but enshrined in our hearts and in our laws: union, justice, tolerance, peace, and liberty not for some, but for all.

These are neither Democratic principles nor Republican ones. These are American principles. These are, in many ways, unique principles honored by this country in its rhetoric. This bill is to honor those in its reality. That is why all who believe in these principles should vote for this bill.

Mr. ARMSTRONG. Mr. Speaker, with all due respect, when the Democratic majority in the House won’t accept any of the Republican amendments and the Democratic minority in the Senate won’t accept any of the 20 amendments that Senator TIM SCOTT offered, I think it is a little disingenuous to say that Majority Leader MCCONNELL is the problem towards bipartisanship here.

Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, I rise today in opposition to this bill because it would result in more crime and fewer people willing to serve in law enforcement.

This bill lowers the standard for mens rea and basically eliminates qualified immunity for law enforcement officers, so, in the course of doing their job, an officer could go to prison for unintentionally breaking the law.

Who wants to serve in a job where they are attacked, underpaid, overworked, and, under this bill, possibly charged as a criminal?

Without qualification, what happened to George Floyd was horrific, and those who undermine the full punishment under the law. Mr. Floyd’s death was a brutal and callous assault that has undermined the public trust of law enforcement officers that we depend on to keep our communities safe. Without protection, we cannot undermine the entire law enforcement community because of it. Every group has bad actors. Congress is not without examples of such. But we can’t continue to paint all law enforcement officers as villains.

Mr. Speaker, I am thankful for the brave men and women who keep our communities, families, and this very Capitol safe. They take an oath to run towards danger when everyone runs away. In fact, two officers, David Bailey and Crystal Griner did just that when they kept my colleagues and me from being killed on the baseball field 3 years ago. I am convinced that several of my colleagues and I would have been killed or grievously wounded, as was STEVE SCALISE, were it not for the courage and dedication to duty of Officers Bailey and Griner. They are heroes, and I stand with them, not with these lawless vandals who have occupied some of our cities, who are pressuring my colleagues across the aisle to, if not eliminate our police departments, make them ineffective.

Every day, somewhere in our Nation, police officers put their lives on the line and far too many of them lose their lives or suffer serious injuries as they faithfully and honorably do their jobs in service to their communities. I will not support any effort to make their jobs more dangerous while also leaving our communities vulnerable to the lawless acts and senseless violence that we are witnessing across our Nation today.

Mr. Speaker, in regard to the majority leader, Mr. HOYER, I appreciate the fact that he respectfully referenced Senator TIM SCOTT’s bill in the Senate. I wish that the Speaker of this House of Representatives, NANCY PELOSI, had made a similar respectful response to that bill, as I wish Senator DICK DURBIN had made a respectful response to that bill. The majority leader did not call on us to work with our colleagues across the aisle on this legislation. Had he been serious about that, there would have been a discussion before this bill ever came to the floor. But there was none.

Mr. Speaker, as my colleague from North Dakota has pointed out, there will be no amendments from the Republicans that substantially improve this bill, except that there aren’t any on the Senate side either. So it is disingenuous to say that the Republicans are not interested in pursuing justice through sensible law enforcement.

Mr. Speaker, I urge my colleagues to oppose this bill.

Ms. BASS. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 38 minutes remaining.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act.

Mr. Speaker, I am going to be frank. A bill like this should have been passed years ago. We know that chokeholds are dangerous, the no-knock warrants in nonviolent Federal cases. This legislation would have prevented George Floyd’s death and the death of so many other Black and Brown people in America.

We should have acted when Laquan McDonald was killed in Chicago—you remember, “16 shots and a cover-up.” Or Rekia Boyd in Chicago. Or we should have acted when Tamir Rice was killed for playing with a toy gun that anyone could buy at their local Dollar General. Yet, still today, after watching the life and oxygen drain from the face of George Floyd, my colleagues on the other side still defend the status quo. Some parts of this bill are not new, but we could never get them passed.

I was part of Speaker Ryan’s task force on police accountability: 18 months of meeting with the public and not one name of it. Well, not this time, because George Floyd deserves better. Sandra Bland deserves better. Breonna Taylor, Laquan McDonald, and Oscar Grant deserve justice. And this is from the niece of three cops, the cousin of one cop, the auntie of two cops, but also the mother of a Black son and a Black daughter.

Mr. Speaker, I just have to say one more thing. I get so sick of hearing Chicago being bantered about. I was here for 5 years and could not get one prevention bill passed or signed on to by my colleagues on the other side. It wasn’t until the Democrats took over that we could at least
today because I have heard the cries and the screams from the street "Black lives matter." 

Mr. Speaker, I am deliberate when I call this a step, however important. We have so much more to do to dismantle racist systems that have infected our country since before we were a country and, indeed, were part of our foundational documents. Genocide of Native Americans. Slavery. Jim Crow. Mass incarceration. And many forms of racist injustice ongoing as I speak.

Mr. Speaker, this month I marched with 6,000 of my constituents in Macomb County. I know we must do more to fight for real and meaningful change. If we are a country that is going to return to being the repository of the best and the noblest ideals for human dignity, we must do more to fight for the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today because I have heard the cries and the screams from the street "Black lives matter." 

Mr. Speaker, as a Black woman elected to Congress, I feel the generations of my people calling on our government time and time again for decades and decades to enact transformational legislation, to finally have a law on the books to stop police assaults on Black lives.

Sadly, as a country we no longer use the excuse of being blind to racism. We can no longer use the excuse of being deaf to the cries of justice, for justice in this country, or the arrogance of White privilege. Our country, our people, the citizens of this country are calling on us to come together and to join America and vote for this bill, the George Floyd Justice in Policing Act.

Mr. Speaker, in our country, we pledge one Nation under God, indivisible, with liberty and justice for all. It is time to act now.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from the great State of California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, the time for change is now. Not next month. Not after more studies. Not after more deaths. Not after more research. Not after more investigations because the killings must stop—today.

Mr. Speaker, we must pass the George Floyd Justice in Policing Act.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. Mr. Speaker, it is indisputable that George Floyd should be alive today. His killing was the result of police violence that too many Black Americans have experienced, many in my district.

Black lives matter. I was honored to attend George Floyd’s funeral and proud to support the police bill in his name.

Today I breathe—today we breathe—in honor of George Floyd. This bill will honor his life. And in the words of his surveillance video gone. And Andrews is gone, with six police bullets in his back.

The public should not need to call for a third-party investigation into these deaths. We should be able to trust the system.

More importantly, they should not need investigations because the killings must stop—today.

Mr. Speaker, we must pass the George Floyd Justice in Policing Act.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Mrs. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman for her tremendous leadership.

Mr. Speaker, this bill is an important start—not an end—of what must be done to stop racism in America. So much more must be accomplished by the local police departments across the country. This is more than a few bad apples. It is a virus that has too often infected the orchard. This is not a time for meaningless gestures or watered-down proposals, but for real, meaningful action.

Black lives matter because for so often and for so long they have been the subject of violence and prejudices as though they did not.

In Austin, Mike Ramos was fleeing. Javier Ambler couldn’t breathe. Both were unarmed, unthreatening, and both are now dead. While technology has literally brought this violence into our homes, we also recognize how many incidences have never been reported.

Failure by some law enforcement personnel to protect Black citizens, threatens the very core of our democracy. What we do today is not only about protecting those victims, but it is also with respect and thanks to the many dedicated police officers who put their lives on the line daily for our security.

What we need is to reach across the divide, to have protesters educating police about their concerns, and officers listening and affirming that they want to be a part of the solution that we offer today.
daughter: My daddy will change the world.

I ask all of my colleagues to help change the world by ending some of the most dangerous and egregious practices of law enforcement in our Nation. Beyond this, we must get to the root of structural racism that has plagued our country for centuries.

As I have called out in my resolution, H. Res. 990, racism is a national crisis. We must move toward a truth and reconciliation process.

Today, my colleagues, we go from agony to action. I support this bill, and I ask you to join me.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. Espaillat).

Mr. ESPAILLAT. Mr. Speaker, I rise in support of this bill.

One month ago, George Floyd was murdered. As his 6-year-old astutely said in the days following, “Daddy changed the world.”

In this bill, there are several policies that have been highlighted in the Harlem Manifesto Against Police Brutality. The Harlem Manifesto advocates for a ban on chokeholds and the knee. It demilitarizes police and ends qualified immunity.

The Harlem Manifesto also includes a provision to ensure that police officers can be held accountable for excessive force. The standard should not be willful intent but reckless intent. We must pass this bill and eradicate the cultural violence in police departments across the country.

The best anticrime policies are anti-poverty policies. We must continue this fight. Black lives matter.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. Espaillat).

Mr. GREEN of Texas. Mr. Speaker, for those who are not sure as to why we are here today, please allow me to explain to you.

We are here today because Ahmaud Arbery’s murder was captured on video.

We are here today because Ms. Cooper was captured on video as she used incited language, the language of a Black man assaulting a White woman, to summon the police.

We are here today because all 8 minutes and 46 seconds of George Floyd’s demise were captured on video.

And this bill, there people don’t like what they have seen. They don’t agree with what they see. They know that they have been lied to. They know that, if these things hadn’t been captured on video, we would not be here today.

Carlyle was right: “No lie can live forever.”

William Cullen Bryant was right: “Truth, crushed to earth, shall rise again.”

Dr. King was right: “The arc of the moral universe is long, but it bends towards justice.”

We are here today to bend the arc of the moral universe towards justice.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Stuyvesant Island (Mr. Mfume), the newest member of the Congressional Black Caucus.

Mr. MFUME. Mr. Speaker, to my friends on the other side of the aisle, every now and then in our Nation’s history we have a singular, searing, and seminal moment, a moment such as this.

And so, whether it was the great debates of the 1960s and the civil rights bill or the granting of women the right to vote 100 years ago or the debates of war and peace which preceded all of us, this is our moment. And it is our moment to do the right thing on behalf of the faceless and nameless men and women who have lost their lives as a result of such brutality.

So when future generations peer through the telescope of time and look back on us and this day, let them say of us that, when it came to addressing the issue of what, ugly, violent, inhumane actions by bad police officers, we did not waiver, that we did not flinch, that we did not shirk our responsibility to do the right thing. The right thing is passing the George Floyd Justice in Policing Act, and to do so on behalf of all those who are not here to pass it and to vote and to speak for themselves.

I strongly urge passage. This is the moment that we have to act in, and it will be a defining moment.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. Norcross).

Mr. NORTHCROSS. Mr. Speaker, I rise today on the importance of the George Floyd Justice in Policing Act, and I am honored to stand with my colleagues here in Congress, and certainly with the Congressional Black Caucus, to combat the epidemic of racial injustice.

As we know, this bill creates unprecedented reforms, needed reforms. But the first step is to admit we have a problem, and apparently we haven’t done that as a Chamber in the whole. This is not a standalone issue. It is one that continues today. It is about ending racial profiling, transforming the culture of policing. It is not us versus them versus the other.

My hometown of Camden, just 10 years ago, had the highest murder rate in North America, called the most dangerous town, but reinvented their police department—not alone, but together. A new culture, now, working together, always reviewing what they are doing: How can we do this better? Sixty-three percent less murders, 73 percent drop in the crime rate.

It can be done, but we have to do it together.

The President and Senate Republicans, seriously short. They merely are suggestions, an insult to us in this House.

I urge my colleagues to vote “yes.”

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. Levin).

Mr. LEVIN of California. Mr. Speaker, our country is in crisis. We are broken by generations of systemic racial injustice, and it is clear that only real change in action will allow us to begin putting the fragments back together.

Millions of Americans across the country and in my district are demanding accountability to a structure that has allowed police brutality and injustice against people of color for far too long.

As we continue hearing new names of those who have lost their lives to this system, it is clear: Thoughts and prayers have never been enough, and they are not enough now.

We can no longer stand idly by, failing to act on behalf of Black Americans in communities.

The Justice in Policing Act will help bring about the long overdue changes that we need, to strengthen transparency and accountability in our law enforcement.

We need to ban unnecessary and excessive uses of force, including chokeholds, and we need to end the militarization of local police departments. That is why we must pass the Justice in Policing Act today and begin the last of many steps towards a more just system, ensuring that George Floyd, Breonna Taylor, and countless others are not forgotten.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio (Mr. Jordan) will control the balance of the Republican time.

There was no objection.

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

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. Velázquez).

Ms. VElaZQUEZ. Mr. Speaker, in nearly every city and town across this country, the American people are raising their collective voice for change. Our Nation is having a long overdue conversation about race and policing, and we are finally acknowledging Black lives matter.

But it takes more than words and hashtags. The American people want true reform. This bill takes tangible steps in that direction. It ends qualified immunity. The bill bans chokeholds. No-knock warrants will become a thing of the past.

We are all outraged by the deaths of George Floyd, Breonna Taylor, Rayshard Brooks, Eric Garner, and so many others. However, anger is not enough. The American people are demanding action.

This bill offers meaningful, transformative change, not lip service or half measures being floated by the President and Senate Republicans.

The time is now. History will judge us on how we respond to this moment. Vote “yes.”
Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, the Justice in Policing Act establishes a bold, transformative vision for policing in America. Never again should the world be subjected to witnessing what we saw in the streets in Minneapolis, the slow murder of an individual by a uniformed police officer.

The world is witnessing the birth of a new movement in our country. This movement has now spread to many nations around the world, with thousands marching to register their horror and hearing the cry, “I can’t breathe,” people marching to demand not just change, but transformative change that ends police brutality, that ends racial profiling and ends the practice of denying Americans the ability to sue when they have been injured, that denies local jurisdictions the power to fire and prosecute offending officers.

Black communities have been, sadly, marching for over 100 years against police abuse and for the police to protect and serve our communities like they do elsewhere.

In the 1950s, news cameras exposed the brutal horror of legalized racism in the form of segregation. The news cameras of the 1950s exposed the brutal treatment of people who dared to challenge the system. News cameras exposed the world to the tragedy that Black people did not have the same constitutional protections, that freedom of speech, that the right to assemble and protest were not rights extended to all African Americans.

Seventy years later, it is the cell phone camera that has exposed the continuation of violence directed at African Americans by the police and exposed the reality that the right of life, liberty, and the pursuit of happiness is not guaranteed to all African Americans at all times.

Now, the movement for police accountability has become a rainbow movement, reflecting the wonderful diversity of our Nation and world. The power of this movement will help move Congress to act, to pass legislation that not only holds police accountable and increases transparency, but assists police departments to change the culture.

Now, I know that change is hard, but I am certain that police officers, professionals who risk their lives every day, are deeply concerned about their profession and do not want to work in an environment that requires their silence when they know that a fellow officer is using the public.

I am certain police officers would like to be free to intervene and stop an officer from using deadly force when it is not necessary, and I am certain that police officers want to make sure that they are trained in the best practices in policing. A profession where you have the power to kill should be a profession that requires highly trained officers who are accountable to the public.

I am so proud to be here on this historic day, where, for the first time in my life, I have no idea how many years, the House of Representatives will pass the George Floyd Justice in Policing Act.

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

Mr. JORDAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Dakota (Mr. ARMSTRONG).

Mr. ARMSTRONG. Mr. Speaker, I sat through this through a committee hearing, a markup, a Rules Committee, and all day here today, and I have heard a lot about how now is the time for bold action and now is the time for transformational change. But what we don’t spend nearly enough time talking about is whether what we are doing and what law we are passing is actually good policy, whether this policy will work in as diverse communities as we have from one end of this great Nation to another.

If there was ever a subject that requires balanced and thoughtful deliberation, police reform is it. Unfortunately, we seem to be incapable of that in this town at this time.

That is unfortunate because the American people want reform, and that reform has to start with the basic recognition that 2 million out of 2.3 million people who are incarcerated in this country are incarcerated in State and local prisons and this inherently becomes a community action.

Law enforcement is mostly a local function. And when we are talking about reform, we must always recognize that these laws must work at 2:30 a.m. in dangerous, unpredictable, and often violent situations, whether that officer is patrolling downtown Washington, D.C., or he is on a rural North Dakota road where backup is measured in minutes and not miles.

We can move quickly and thoughtfully. We can work toward policies that hold bad officers and delinquent departments accountable without making it harder for good cops to do their jobs. Part of how we do that is by recognizing that these some uncomfortable truths. I will be the first one to say that systemic racial disparities exist in our criminal justice system, not just in law enforcement. We have not yet determined, whether it is in pretrial release programs, charging decisions that determine minimum mandatory sentences, facially neutral enhancements that have disparate impacts on minority communities.

But we also need to recognize the truth that, when we talk about these things, we have been talking about them for years and long before President Trump was elected. In fact, if your claim is historical and systemic racism, then it is sometimes hard to believe that all of these occurred as of January 3, 2017, when President Trump took office.

For all the good intentions, we have to recognize the fact that this bill is not just going to chase bad cops out of the business, but it is going to dissuade good people from continuing in law enforcement. And that is going to make our communities less safe.

This bill makes it easier to sue law enforcement. It makes it easier to prosecute cops, all cops, not just bad cops. It ensures that there is a public database of all complaints, whether they are completely frivolous or not. It takes away their ability to use equipment, whether they need it or not. It takes away the ability for officers to use lifesaving tools, whether they need it or not.

Combined with what is going on, and a combination between peaceful protests and violent rioting, I have a friend and officers in Minneapolis just this week have responded to calls where they are being spit on and had bottles thrown at them where they are responding to murders.

To say that these types of policies and this type of rhetoric is not going to chase good people out of this profession is just not true.

Republicans in the Judiciary Committee did offer substantive and quality amendments. We offered amendments to require recordings of non-custodial interviews to enhance the use of body cameras by Federal officers. We offered what I consider is reasonable collective bargaining reform so that bad cops can actually get fired from their jobs. We exempted our Border Patrol from the ban on the purchase of surplus military equipment. We also even offered an amendment for a ban on no-knock warrants. We just asked to collect the data during the process while we were doing it. To say that every single thing we offered and what we tried to accomplish either here or on the other side was not relevant to the conversation just simply isn’t true.

But there are things we agree on. We agree with body cameras for law enforcement. We agree that more transparency is the best thing.

Congresswoman Bass has talked a lot—and I think this is actually accurate—we wouldn’t know a lot about these things without cell phone cameras and what has gone on. That is a reality that exists. But the other reality that exists is that we all are functioning in a digital society. Asking our Federal law enforcement to come into the 21st century along with us is not a terribly unreasonable nor unreasonable request.

We agree with making sure we have a way to track officers. We don’t necessarily agree on how to do the specifics, but there is a way to get there.

I think everyone agrees that more de-escalation training is incredibly important, and that doesn’t matter if you are in a diverse community or not.

Everybody who has talked to law enforcement knows they deal with way too many mental health issues. We agree with those resources.
We all want to hold bad cops accountable and departments that have too many bad incidents accountable. Many of us on our side agree with qualified immunity reform. I tend to agree with my friend Congressman Roy when he says he wants significant reform. I would also argue we need to replace it with something.

The problem with no-knock warrants isn't that they are there; it is that they are overused. The problem with military-style equipment is not that it is militarized; it is that, in some departments, it is overused.

But if we continue to paint with a broad brush all of these things and have it affect every department regardless of how urban or rural in nature, regardless if they have a history of abuse or none at all, then we run into the real risk of alienating the people who most closely and most want reform.

I will end on something that I think is fairly hopeful, and I do have hope because I think this is the most criminal justice reform in Congress we have ever seen. There are Members on both sides of this issue who are serious about marijuana legislation. If you want to talk about a system in the criminal code that has a disparate racial impact, I am not sure you need to go a whole lot further than marijuana reform.

We have had people on both sides of the aisle who have done the juvenile justice act, the justice reinvestment act, trial penalties, clemency for unduly harsh prisons. We have a lot of places where I think it bears repeating, and I just truly, truly mean this. The FIRST STEP Act, which was passed by the last Congress that was bicameral, bipartisan, and advocated for by this President, is the single most important criminal justice reform that has probably ever come out of this Congress.

I don't say that from being a Republican politician. I say that from practicing Federal criminal defense under both the Bush administration and the Obama administration.

So in 3 years at the Federal level, we have gotten more done. But it is called the FIRST STEP Act for a reason, because there is a second step. I have had the opportunity through all the rhetoric and all the partisan fighting and everything. I have also gotten to meet people who most closely and most want reform.

I also want to thank my friend and colleague, the gentlewoman from California (Mrs. BASS), for her work over the years on this issue as well.

Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the minority whip. Mr. SCALISE. Mr. Speaker, I thank my colleague and friend from Ohio for yielding and for his leadership on this issue.

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lives for myself and for other people, maybe not knowing if they were going to make it home that night, and they do that every day.

If there is a bad cop, let’s root them out. But we want to make sure we don’t root out the ability for the good cops that are all around our communities, keeping us safe every day. They have a right not only to keep us safe, but they have a right to make it back home to see their families at the end of that night, too.

Let’s make sure, when we are striking that important balance, we don’t forget about those two competing sides. We can solve this problem. We need to work together to get this done. Hopefully, we will do that before this moment is lost.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. Perrin), my good friend and classmate.

Mr. PETERS. Mr. Speaker, I rise today in support of H.R. 7120, the George Floyd Justice in Policing Act.

Just a few minutes, the comments from the gentleman, my colleague from Louisiana, we all believe that cops are good people who became—most cops are good people who became officers to serve their communities. The provisions in today’s bill will help us support the good cops by rooting out the bad ones.

But, fundamentally, the culture of policing in this country must change. There is a tremendous amount of support nationally, and I believe in this body, for better training, transparency, and accountability. It is devastating that we are acting too late to save the lives of George Floyd and Breonna Taylor and Eric Garner and the many other victims who haven’t even made headlines.

But there is hope that this bill can save lives and protect Black lives moving forward. We may not finish today, but this is an important start.

Mr. Speaker, I strongly urge my colleagues to support this legislation and vote “yes.”

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. McCarthy), the Republican leader and my good friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding. I thank the gentleman for his work and the work of his committee.

I thank Congresswoman Karen Bass—I served with her in the State assembly—for the work as we go forward.

Today marks 1 month since George Floyd was tragically killed. As we all agree, Mr. Floyd, Pat Underwood, and countless others should be alive today. Republicans on both sides listened closely to calls for justice, and we have responded proactively. Leading our response has been Senator Tim Scott and Congressman Pete Stauber.

We could not ask for a better pair to work on this important issue: a Black senator who has personally experienced racial discrimination and a retired law enforcement officer, wounded on the job, for more than 23 years with the State of Minnesota, who now serves in the House.

Their thoughtful efforts have produced something that is too rare in this town: a bill that actually tries to solve a problem, not just score political points.

It is truly a bipartisan plan, with over 80 percent of the policies in the bill supported by Democrats. It builds on previous Republican-led civil rights efforts, such as in the majority when we did criminal justice reform, opportunity zones, and school choice. In fact, it could be on its way to becoming law today in a moreensible environment. It would pass on the merits with overwhelming bipartisan support.

But we can’t live in sensible times. When I looked George Floyd’s brother in the eye and told him that George will not have died in vain, I meant it. To those on the other side of the aisle, I believe you meant it, too, but there are questions that arise:

Did you work in good faith across the aisle or did you choose to go it alone?

Did you choose to make a point rather than make a difference, all while putting politics before people and slandering Republicans in the process?

First, you dismissed the JUSTICE Act as ineffective before one single word was read. I believe that the Democrat bill was a nonstarter, not once. I was asked at a press conference to name one thing that I oppose. I went back to the reporter and said, no, I will not, because this is a moment in time the country expects us to rise to the occasion. I am not going to point to something that I disagree with because I believe we can get to the point together.

I had hoped that on this floor we probably would have one amendment. Not one single amendment was allowed. Not one single amendment was allowed.

I listened to the Democrats on the other side because they are in the position the Republicans are here in the minority. They were offered 20 amendments, but they felt they shouldn’t go forward—not to vote on the bill, but not even to debate it. Would it be too much to offer the minority one vote to do a bill together?

Then you tried to diminish its author. One Senate Democrat who is White went so far as to say on the floor of the Senate that Senator Scott, a Black Republican, was taking the token approach.

I don’t know if you have ever served with Tim, but there is no one who has higher character than the man I know. I don’t know what it is like to walk in other people’s lives, but Tim is a good friend. He has told me the stories. Tim did not start working on this bill a month ago. He has been working on it his entire life, like others, as well.

Tm did not ask to do the bill on the Senate side with no input from the other side of the aisle. Tim offered amendments and others, but it can’t even move the bill forward.

Now you are defaming its supporters saying, as Speaker Pelosi absurdly claims, that we are trying to get away with murder, the murder of George Floyd. She knows she should have apologized, but she doubled down on her remarks yesterday. That was a very sad state of affairs.

Think for one moment. The Speaker of the House is second in line to the President of the United States. That job is too big for words so small, especially in this moment and in this opportunity.

So much for meeting the moment and working together to solve a problem. We have reached a new low in this body, and it is not one that I want to be a part of.

Democrats in the Senate had the opportunity to add 20 amendments to address their concerns about the JUSTICE Act, but they chose to walk away. Meanwhile, Democrats in the House haven’t given the Republicans the opportunity to offer a single amendment on the floor.

I have been in the position of being a majority leader. I understand you let a few make a decision, but I do not believe it is the will of the other side of the aisle to shut out voices on this side. I do not believe that you think you have all the answers or are afraid to even have a debate when you know this is an issue that all of America on the streets is rising up and wants to have a voice heard.

I don’t understand why anybody is afraid to have amendments. We didn’t stop participating even though we had been shut out. We have been to every hearing. We have been to every place. We want to make law. We don’t want to make politics. I think our country deserves more.

Worse yet, Democrats are now trying to distract from the party’s failures in governing major American cities. You are complicit in the chaos and its consequences.

While you stall serious reform, your allies in the leftwing mob are engaging in looting, destruction, and violence, attacking people, property, and public monuments to American heroes.

The latest incident, I guarantee you, will not be the last. It was in the city of Madison, Wisconsin, not a Republican stronghold, but a Democrat, for decades. There, local officials stood by as a mob tore down several statues that are publicly owned and entirely unoffensive.

The first statue they tore down was of Lady Forward, a symbol of progress in Wisconsin. The latest incident, I guarantee you, will not be the last. It was in the city of Madison, Wisconsin, not a Republican stronghold, but a Democrat, for decades. There, local officials stood by as a mob tore down several statues that are publicly owned and entirely unoffensive.

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This lawless and unjustified violence must be stopped. But their own Wisconsin Lieutenant Governor seemed too surprised by the attacks to do anything about them. Their fatal mistake is to assume that Democrats will be safe because, as the Lieutenant Governor said, they are on the “proper side.”

But here is the reality: Mobs don’t care about your political affiliation. Mobs won’t draw any lines because they can’t draw any lines because they are mobs. They don’t want peace, justice, or reform. They want destruction, upheaval, and, most of all, control over you, over others, and over our past, present, and future.

In this country, no one is above the law no matter how proper the coastal elites or mainstream media deem their cause. As elected officials, it is our responsibility to condemn these acts with passion, force, and moral clarity. It doesn’t just happen in Wisconsin. It happens in the Speaker’s district. Just a few short years ago, the Pope spoke from these Chambers. As he left, the leadership stopped at Saint Serra and prayed together. There was a statue in that that the mob tore down. I am not sure, but I have not seen any comments from the individual who represents that district.

In fact, their so-called solutions, such as dismantling and defunding police would only make the problem worse, especially for our vulnerable communities. By giving their leftist allies a pass, the Democrats are giving the mob more power, more license, and more ambition. That is a recipe not for justice, but for more chaos.

Mr. Speaker, Abraham Lincoln knew riots, mob rule, and defunding the police present serious threats to the American way of life. As a young man, he warned that “lawlessness in spirit, quickly becomes lawlessness in practice.” He knew, if it was proper and you ignored it, it would become a practice.

Today, we are witnessing the situation that Lincoln feared: a war on civil society that is quickly escalating. We must summon the courage to protect law-abiding citizens against lawlessness.

Our choice is clear: civil society or chaos. Those are our only options.

Representatives of a nation which stand on we stand on. We will stand up, hold the line, and fight until the mob is stopped. Enough is enough.

Today, on this floor, 1 month ago, I thought we would show the country that we are worthy of the office they let us serve in. We may be of different parties. I am proud of mine. You see, I was not born into the Republican Party. I came from a party of Democrats.

In my office, I keep portraits. I keep a portrait of Abraham Lincoln, the first Republican President. I love what he stood for. I love what he stood against. Malice towards none.

I wonder what this Nation would be had he not been assassinated? Would we ever have had Jim Crow laws or the KKK? Would we even be standing here today? But I think George Floyd would be, and so would Pat Underwood.

In my office, in my chambers, I have Frederick Douglass as my newest portrait, a man born into slavery, worked his way out. Even though he had every reason to criticize this Nation, he loved it for its bruises, its sores, and all because he believed in a perfect Union, adviser to a President and believing tomorrow would be better than today.

Inside my conference room, I keep a very big portrait of Washington crossing the Delaware. If the mob was allowed in, they would probably tear it down. You see, that portrait is painted not by an American, but by an immigrant who lived here because America is more than a country. America is an idea, and idea and freedom. And he thought if he painted this portrait, he would inspire others to believe in the freedom that we stand for.

He gets it historically incorrect. He puts Washington not on wood with 13 people, but he only shows you 12 faces. You look at Washington. He is in his ceremonial uniform with his hand on his chest, bigger than life. You think that man had never lost a battle, but history told us he had won one yet.

See, that was the night we surprised the Hessians with our first victory. But if you look at the portrait and see who is in it, you look at the second rower, it is a Black American. You look down, and the woman in the very back is a Native American.

I do not know if they were in the boat that night, but to this young immigrant, that is who he believed, having lived in America, would be there.

To the back you see this man, a farmer, with his hand across his face. The hand of the 13th person nobody sees. You see, to this young artist, he said here we are not even a nation but an idea, an idea based upon that we are all equal.

Having never won a battle, we are willing to risk everything, where people would say on the holiest of nights, of Christmas: We will go to a challenge in a rough water and cross that we have never won before. Here is a hand. Would you get in and join us?

That is as true today as it was then. You see, in that portrait they didn’t say only one party to join; they wanted all. They didn’t say one had all the ideas; they said we were collective. And they were willing to do things they hadn’t done before. They knew they were not a linear way to become a more perfect Union.

I had hoped that that is what we would see today. Today, that will not be the answer, but that can also not be the end. I would hope both of us would rise up on both sides and ask us to go to conference.

Let’s not miss this window of opportunity to show that we are worthy of the cause we strive and the responsibility people give us. Let’s not call each other names of murderers and others. Let’s believe in the goodness of one another, and let’s understand that we can solve this problem once and for all.

Mr. JEFFRIES. Mr. Speaker, I yield such time as she may consume.

Mr. Speaker, despite the representation that was just made, Speaker PELOSI, as she always does, has risen to the occasion.

The question is, will you?

The Republican minority leader just said that we have put politics over people. That is insulting, because it is our children, our sons, our daughters, our brothers, our sisters, our fathers, our mothers, our husbands, our wives who are the ones who are being killed.

This is not about politics. We know that racism has been in the soil of America since 1619. We need transformational action.

The time to talk the talk is over. It is time to walk the walk. That is why we are moving forward with the George Floyd Justice in Policing Act.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Miss RICE), my good friend, a distinguished member of the New York delegation, a former Federal prosecutor, and a district attorney of one of the largest prosecutorial offices in the Nation.

Miss RICE of New York. Mr. Speaker, I rise today to offer my wholehearted support for the George Floyd Justice in Policing Act.

As my good friend, Mr. JEFFRIES, just said, I spent the first 20 years of my career as a prosecutor in the criminal justice system. I have seen where it works and, more often, I have seen where it doesn’t work. I can say without doubt that police accountability is one of the areas that is fundamentally broken, but we need to do more than just hold individual officers responsible. We need to address the institutions that protect them and perpetuate systemic racism.

That is why I am proud to cosponsor this bill, which will make critical changes to this broken system, like reforming the qualified immunity standard, banning the use of chokeholds, creating a national police misconduct registry, and modifying the mens rea standard to hold officers accountable.

I will continue to work with my colleagues in the Congressional Black Caucus and continue to listen to local prosecutors and activists back in my district on Long Island as we continue to root out injustice and discrimination from our society.

Black lives matter, Mr. Speaker, and it is about time our laws and policies recognize that.

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

Mr. Speaker, we just heard the Democratic Conference Chair say...
Speaker PELOSI rose to the occasion. Calling Republican Senators murderers is rising to the occasion?

We have had all kinds of new definitions today. First, we hear from the committee chair, the Judiciary Committee, that antifa is imaginary, and now we heard from the Democratic Conference Chair that the Speaker rose to the occasion when she uses language like she did to describe Republican Senators.

And so, by the way, it wasn’t just Republican Senators who voted for TIm Scott’s bill. There were two Democrat Senators who voted for it, and an Independent. And somehow we get that language, the Speaker of the House—as the Republican leader said, the individual second in line to the President—rising to the occasion using language like that, preceded by the chairman of the Judiciary Committee, the committee focused on the rule of law, focused on the Constitution, saying an organizer of President of the United States has called terrorists is imaginary? That is what we hear on the House floor?

I appreciate the Republican leader’s remarks. I thought they were right on target.

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

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. Thompson), a distinguished gentleman, the chair of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from New York (Mr. Jeffries) for yielding me the time.

As someone who has been both a victim of police insensitivity and someone who has spent his entire life in an area known for police mistreating people, and somebody who represents the area where Emmett Till was killed and his accuser wore a badge, this notion that somehow law enforcement’s activities just started is not true.

But, you know, you have to walk in my shoes and the shoes of the Congresional Black Caucus to know what we are talking about. I hope at some point we can get there.

I am a grandfather. The story my father told me about law enforcement, this day I am telling my grandson that same story 50 years later. Law enforcement hasn’t changed.

So what we have to do is if we are committed to it, we have to support this bill.

The notion that the system is not broken? It is operating how it was designed, so we are going to have to fix it, and we fix it by supporting this bill.

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

Mr. JEFFRIES. Mr. Speaker, may I inquire how much time we have remaining?

The SPEAKER pro tempore. The gentleman from New York has 17 minutes remaining.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentlewoman from Illinois (Mrs. Bustos), the distinguished chair of the DCCC, a classmate, and a great Member of Congress.

Mrs. BUS stos. Mr. Speaker, I thank Chairman Jeffries for yielding me the time.

Mr. Speaker, I rise today as the wife of the sheriff of Rock Island County, Illinois. I also rise today in support of the Justice in Policing Act.

I have listened to so many people throughout the district that I serve who are hurting, so many stories of people who are in pain; a woman whose cousin died when the police used a neck restraint like the one that took George Floyd’s life. That was in 2010, a decade ago. Her family has been fighting for justice ever since.

I recognize that I as a White woman cannot fully understand the pain that Black Americans feel, but I also know that if we are going to make real and lasting change to end systemic racism, I must care just as much and I must be just as motivated as those in the communities that are hurting most.

Today, I lift their voices. America will hear you.

For this family’s decade-long quest for justice, we can, we will, and we must act.

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

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. Malinowski), a great new member of the freshman class.

Mr. MALINOWSKI. Mr. Speaker, I will proudly vote for the George Floyd Justice in Policing Act because I believe that Black lives matter, because I believe that nobody in America should have to fear an encounter with police simply because of the color of their skin, and because I believe that what we need right now above all is trust, truth between law enforcement and the people, all the people they are sworn to protect.

Trust is not built by police who use force as a first resort, it is not built by police who look like they are the 82nd Airborne parachuting into a war zone, it is not built by hiding problems so abusive officers get assigned to train rookie cops or those fired for misconduct can get rehired somewhere else.

Trust is built from better training, transparency, and the accountability that every true public servant welcomes.

Now, this may not be a perfect bill, but it is surely the start of a process that will happen. So, please, let’s get this process started.

If we also want to fund the police, if we want to support the good cops who are out there, then please ask the Senate to support the HEROES Act along with the bill we have just supported. So, please, let’s get this process started.

If we want to fund the police, if we want to support the good cops who are out there, then please ask the Senate to support the HEROES Act along with the bill we have just supported. So, please, let’s get this process started.

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

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. Soto).

Mr. SOTO. Mr. Speaker, in my hometown of Kissimmee, Florida, I joined our local protest of the murder of George Floyd. We came together, members of the NAACP, Black Lives Matter, our Sheriff Russ Gibson, local police chiefs, and a multitude of my fellow Puerto Rican brothers and sisters. We decried hate, condemned police brutality, and stood unified for change. Then led a conversation on justice and equality in America with Black civil rights leaders, law enforcement, and local officials from across central Florida. I listened intently, and their voices were clear: Black lives matter, and we support the George Floyd Justice in Policing Act of 2020.

We see you; we hear you, and we will honor those we lost with action.

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

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentleman from the Commonwealth of Massachusetts (Mrs. Trahan).

Mrs. TRAHAN. Mr. Speaker, I thank Chairman Jeffries for yielding me the time.

Mr. Speaker, we have long encountered excuses as to why we can’t tackle bias, discrimination, and racism in America, excuses that have prevented equality in healthcare, in the classroom, housing, in the workplace, and, yes, in the way police interact with communities they have sworn to protect.
That approach has led to a deadly reality where Black lives are equal on paper, but not in real life.

We know this because the data show it. The data show that Black Americans are more likely to die during a trip to the hospital and more likely to be killed, while unarmed, by the police. We know this because George Floyd should be alive today; so should Breonna Taylor, Tamir Rice, Eric Garner, and so many others.

The Justice in Policing Act would have prevented their deaths, and it is long overdue. We owe it to them and to every Black American to make this bill law. Then we must get to work fixing the injustice that has persisted in our country for centuries so that we can create a more inclusive, truly equal, and just America for everyone to call home.

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

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Ms. CLARKE), my good friend.

Ms. CLARKE of New York. Mr. Speaker, I thank our conference chair.

Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act in honor of the lives I took an oath to serve as long as I draw breath.

Breonna Taylor, George Floyd, Dominique “Rem’mie” Fells, Sandra Bland, Saheed Vassell, Eric Garner, Sean Bell, Patrick Dorismond—how many more Black lives must be hashtagged before we deliver equal justice to all of our people?

I have heard my colleagues on the other side of the aisle make every excuse under the Sun for maintaining the status quo. Not today, my friends.

When Americans are dying at disproportionate rates across the country at the hands of law enforcement and have been doing so for generations, enough is enough, and Congress must act. This crucial legislation will make police accountable for their actions.

1976, Randolph Evans, 15 years old, unarmed Black boy, shot dead, Brooklyn, New York.

1978, Arthur Miller, choked to death, Brooklyn, New York—my first protest as a child. The only crime: Being Black.

Here we are 2020, Breonna Taylor, shot dead in her home; George Floyd, choked to death. Their only crime: Being Black.

So, my colleagues, as the only Black woman in the New York State congressional delegation, there are two things I know are true and will remain true whether we acknowledge or accept it: Black lives matter.


Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from the great State of Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, our country continues to fail Black people.

Seven-year-old Aiyanna Stanley-Jones, in my district, would have graduated from high school this year if she was not murdered by police when they raided her home, the wrong home.

Yes, who killed George Floyd should be the focus, but also what killed George Floyd. We are talking about centuries of mistreating Black folks in our country, and it must end now.

We cannot stop here. We are, again, failing our neighbors when it comes to public safety, education, poverty, structural racism, which is deadly, and it is up to us to tear it down.

It is not enough for us to just say Black lives matter. We, in this Chamber, have the power for real policy change and implementation that truly frees our Black neighbors.

Aiyanna, George, Breonna, Malice Green, we failed you, but your murders may be the way not to continue the injustice that we see in our country, and we have to stop it now.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the great State of Colorado (Mr. Crow), an Army Ranger, a patriot, and a great Member of the United States House of Representatives.

Mr. CROW. Mr. Speaker, I rise today in honor of Elijah McClain, a young Black man from Aurora, Colorado, who died in police custody. He was 23 years old.

Before coming to the floor today, I asked Elijah’s mother what she wanted me to tell the world about her son, and here are her words: “Elijah spread joy everywhere he went. He was a lover of all people, and his energy to healing others through his work as a massage therapist and playing his violin at the animal shelter to keep them from being lonely. Elijah’s name will live on in the hearts of all who knew him.”

Colorado was blessed by Elijah’s legacy, and last week, we passed the most transformative police bill in the country.

Tonight, it is Congress’ turn to do the same. I urge my colleagues to join me and pass the George Floyd Justice in Policing Act. The time for talk in Congress is over. My vote tonight will be cast for Elijah McClain.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the great State of Texas (Mr. CASTRO), the chair of the Congressional Hispanic Caucus.

Mr. CASTRO of Texas. Mr. Speaker, for far too long, far too many people have lost their lives to police brutality.

And for far too long, the government has failed to protect the people. That changes today. This is a first, yet significant step to save lives, especially Black lives.

In my hometown of San Antonio, police violence has existed for generations. In just the last few years, Marquise Jones was killed by an office officer during a routine fender-bender.

Antronie Scott was killed by an officer who thought a cell phone was a gun.

Charles Roundtree was killed by police. He was only 18 years old.

The Latino community has also suffered from police brutality. Andres Guardado and Carlos Lopez are the latest to be killed.

Forty years ago, in San Antonio, Hector Santuscoy was killed by a police officer who had also killed a Black man, Bobby Jo Phillips, in 1968.

These cases we see on video are only a fraction of the misconduct and abuse that occurs every day, leaving long-lasting physical, mental, and socio-logical damage. The good, lifesaving work of police is undercut by the blue code of secrecy, officers who refuse to talk on each other, police unions that never admit when they are wrong, and politicians who have been afraid to take on police unions.

This Congress must have the courage to act now and pass this legislation.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Illinois (Mr. KRISHNAMOORTHI).

Mr. KRISHNAMOORTHI. Mr. Speaker, I rise today in strong support of the George Floyd Justice in Policing Act.

In 2019, USA Today published the largest public database of disciplinary records for police officers. They found that fewer than 10 percent of officers in most police forces had been investigated. But of those who are investigated, most have 10 or more misconduct charges, and worse, some face more than 100 allegations. Almost all still have their badges today.

To address this issue, the George Floyd Justice in Policing Act includes a national registry to bring transparency to disciplinary decisions, to bring transparency to police misconduct, and to bring transparency to the high cost of irresponsible individuals to taxpayers.

The George Floyd Justice in Policing Act is about transparency and sunlight. We need that now more than ever.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, how much time do we have remaining on this side?

The SPEAKER pro tempore. The gentleman from New York has 7 1/2 minutes remaining.
Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I am honored to stand for the George Floyd Justice in Policing Act, an important step for racial justice. I hope our approval will soften the hearts in the Senate because there is much to do.

I am honored to work with another champion for justice, Congresswoman BARBARA LEE, whose Marijuana Justice Act would be the next step, repealing Nixon’s blatantly racist prohibition of marijuana with its selective enforcement against young Black men, which continues to ensnare tens of thousands of young Black men every month for something that Americans think should be legal.

Let’s approve the MORE Act, already passed out of the Judiciary Committee, the next critical step in racial justice reform and protecting young Black men from oppression.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Maryland (Mr. MFUME), the former head of the NAACP as well as the Congressional Black Caucus.

Mr. MFUME. Mr. Speaker, I thank the distinguished gentleman from New York, the chair of our Caucus, for yielding.

I listened intently to the litany that the minority leader chose to deliver, and I watched and looked through a lens of history about his admonitions about our 16th President, Abraham Lincoln, and they were all well-stated.

I think the bottom line, though, is that, in any debate, there ought to be real value. There are other things that Lincoln said that are relevant to this debate as well.

In 1848, in a speech delivered in Edwardsville, Illinois, he spoke these words to his countrymen. He said:

When you have succeeded in dehumanizing the Negro; when you have put him down and made it impossible for him to be but as the beasts of the field; when you have extinguished his soul in this world and placed him where the ray of hope is blown out as in the darkness of the damned, are you quite sure that the demon you have hosed will not turn and rend you?

Lincoln went on to say:

Destroy the Negro’s spirit and you have planted the seeds of despotism at your own doorstep.

He said:

Ignore the chains of bondage, and you prepare your own limbs to wear them.

Finally, he said:

Accustomed to trample on the rights and the freedoms of others, and you would have lost the creative genius of your own independence, and then become the fit subjects of the first cunning tyrant who rises among you.

So while I appreciate the minority leader’s comments, I think it is important that we have context in this debate. We have driven here and have been driven here by the actions of people all across this country who want justice, who want an end to police violence, who want an end to rogue cops and want to be able to live, work, and breathe in a society like anyone else.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I am prepared to close. I have no additional speakers. I reserve the balance of my time.

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

It seems to me four principles should frame our work in putting together policies that help the country.

First and foremost, we need to recognize, as we all do, the tragedy that has happened. The taking of George Floyd’s life was just that, a tragedy. It never should have happened. As I have said before, it is as wrong as wrong can be, and his family deserves justice, as do others.

The Republican leader mentioned Pat Underwood. His death was as wrong as wrong can be, and his family deserves justice as well.

Second, we should condemn violence and also the creation of any type of autonomous zone that is separate from our great country.

I said this earlier today. There is a big difference between peaceful protest and some of the things we have seen. Peaceful protest, that is First Amendment. We have all engaged in it. That is apple pie. That is America.

But peaceful protest is different than the rioting we have seen. Peaceful protest is different than the violence we have witnessed, the attacking of people, the taking of people’s businesses and destroying them. Peaceful protest is different than CHAZ and CHOP and these autonomous zones that are forming.

Third, the vast majority—vast, vast majority—of police officers are good, good people doing great work, risking their lives every time they put the uniform on and serve their shift, do their duty.

They are the guys who protect us here on Capitol Hill. They are the folks who rushed into the Twin Towers on 9/11. They are the guys and gals back home, men and women back home, who protect our communities, and we should remember that.

Fourth, defunding the police is crazy, one of the most crazy ideas I have ever heard.

You have the mayor of New York, as I said earlier today, the mayor of New York is going to cut the police a billion dollars. You have the mayor of LA, our second largest city, going to cut the police $150 million. You have a super-majority on the city council of Minneapolis, so many other major cities where they are talking about the same thing.

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

Let me begin by thanking the chair of the Congressional Black Caucus and the prime sponsor of this legislation, KAREN BASS, for her extraordinary leadership on such a critical issue during such a critical moment in time.

I also want to thank the distinguished chair of the House Judiciary Committee, Congressman JERRY NADLER, for his tremendous leadership in ushering this bill through committee and to the floor of the House of Representatives.

I urge a “no” vote, and I yield back the balance of my time.

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

Let me begin by thanking the chair of the Congressional Black Caucus and the prime sponsor of this legislation, KAREN BASS, for her extraordinary leadership on such a critical issue during such a critical moment in time.

I also want to thank the distinguished chair of the House Judiciary Committee, Congressman JERRY NADLER, for his tremendous leadership in ushering this bill through committee and to the floor of the House of Representatives.

I want to thank Speaker PELOSI and the entire House Democratic Caucus for rising to the occasion at this particular moment in time.

I want to thank my colleagues on the other side of the aisle for participating in the debate and sharing their ideas, though I will note that many of my Republican colleagues are talking about antifa, talking about the autonomous zone, and talking about abolishing the police, which appears...
They know what this bill is really all about. It criminalizes the chokehold, because it is about George Floyd, who was strangled to death with a knee to his neck for 8 minutes and 46 seconds while handcuffed. It is about being handcuffed while Black, about George Floyd.

They know this bill, its really about Tamir Rice, a 12-year-old who was gunned down playing in a Cleveland park. It is about Tamir Rice because the bill will establish a registry for brutal officers so that jurisdictions will have some visibility into whom they are hiring. The officer who murdered Tamir Rice, this 12-year-old boy, had been fired by a neighboring department for brutal behavior, and then he was hired by the Cleveland Police Department with tragic consequences because they had no visibility into his record. This bill is about Tamir Rice.

The know this bill is about Breonna Taylor, sleeping while Black, gunned down because of a no-knock warrant in a drug case that was falsely executed in Louisville. Now a husband has lost his wife. It is about Breonna Taylor. They know that.

This is about countless individuals in this great country of ours killed by police officers without justification. Yes, we know that the majority of police officers are obviously the good people— I interact with at home in Brooklyn—are hardworking individuals who are in the community to protect and serve. But there are violent officers, there are brutal officers, and there are abusive officers; and far too often they are not held accountable because of a toxic culture that exists and that cannot be denied—not month after month, not year after year, but decade after decade after decade.

We know the names. Many of those names were called today from the floor of the House of Representatives, but the names are too numerous to mention. That is why we are here, to do something transformative about it. I am thankful for all of those peaceful protesters who have gone out all throughout the four corners of America, yes, led by young African-American women—I love that—and young African-American men, but joined by every other race, Black, White, Latino, Asian, Native American, multiracial, multigenerational, and multicultural, coming together and saying, “Enough.”

We need to deal with systemic racism in America, and we can start with the cancer of police brutality. That is what the George Floyd Justice in Policing bill is all about. It is not about antifa or some autonomous zone or defunding the police, which they know doesn’t appear in this bill.

I don’t want to question anybody’s good faith, but let’s have a real debate. You are entitled to your own opinion; you are not entitled to your own facts. Those words ring true to this very day from the moment that President John Adams uttered them.

So I am thankful to the House Democratic Caucus for rising to the occasion. We collectively have said to the protesters of every race throughout America: We hear you, we see you, and we are your friends.

Many of you know that the death of George Floyd was not called to my attention by a fellow Member of Congress, by my chief of staff, or by my legislative director. It was called to my attention by my young son, who said: Dad, it has happened again. What are you going to do about it?

Those words, of course, ran through my heart. But I say to him, and I say to all of those other Black children throughout America: We are here today as House Democrats to do something about it.

Pass the George Floyd Justice in Policing Act.

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

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act.

Americans have been protesting ever since the nation witnessed the murder of George Floyd at the hands of law enforcement last month. Today, the House of Representatives is taking action to address problems in our broken policing and criminal justice systems by passing The George Floyd Justice in Policing Act.

The bill has many important provisions— it bans chokeholds, ends no-knock warrants in drug cases and prohibits racial profiling. It creates national standards for policing policies, such as training, body cameras and use of deadly force.

It provides for data collection. It removes barriers that make it difficult to hold police officers accountable for misconduct.

Mr. Speaker, I urge my colleagues in the Senate to pass this bill as quickly as possible, and to begin the next step in the process: in- vesting in our communities.

Mr. LEWIS. Mr. Speaker, I rise in strong support of H.R. 7120, the George Floyd Jus- tice in Policing Act.

For far too long, equal justice and protection under the law have been deferred dreams for Black people and communities of color across our country. As we consider this bill, people throughout Metro Atlanta and throughout our home state of Georgia are gripped by pain and anguish over the deaths of Ahmaud Arbery, Rayshard Brooks, Breonna Taylor, George Floyd, Trayvon Martin, Sandra Bland, Philando Castile, Tamir Rice, Jordan Davis, who was the beloved son of our colleague Congresswoman LUCY Mc'BATH, and countless others. The pain in the depths of our souls is constant and all consuming. It is the seemingly endless nightmare from which we cannot awake.

Today, young people are taking up the mantie in a movement that I know all too well. All over the world, communities are once again standing in the name of race, equity and equality. While their feet move towards justice, their pain, their frustration, and petitions cannot— must not—be ignored. The George Floyd Justice in Policing Act provides us with an opport-
People of all colors, cultures and creeds have taken to streets across the country to demand action in this cause. They want it established in federal law that black lives matter and the time of killing our men and women of color is over. As our citizens tear down the statues of racists and bigots across the country, we must fight to end and tear down the policies that allow racism to exist in our law enforcement.

Mr. Speaker, I know my fellow members of the U.S. House of Representatives agree that the George Floyd Justice in Policing Act deserved the training and resources the George Floyd Law Enforcement Training Act offered in Policing Act of 2020, with my full support. It is my hope that this moment in our history will be looked upon as a time when we as a nation came together, regardless of party or politics, in support of sweeping, transformative change—and I believe that this bill will do just that. Among its bold initiatives include banning chokeholds that took the life of George Floyd and no-knock warrants that resulted in the murder of Breonna Taylor; ending court-created doctrines of qualified immunity; and improving oversight regulations to hold law enforcement accountable for misconduct. The Justice in Policing Act is both a reflection upon and remedy for the structural and institutional racism produced by the Smithsonian’s National Museum of African American History. The bill makes lynching a federal crime. The legislation also creates the Commission on the Social Status of Black Men and Boys which will study and issue a wide-ranging report on conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels and health issues and will make recommendations to address these issues.

That said, why not vote for the Democrat bill that is before the House today as well? I am so proud to be an original sponsor of the George Floyd Justice in Policing Act of 2020. This legislation has been a long time coming and for many it has arrive too little too late. Our nation is a work in progress, and we will continue to fight for equality under the law in every and all aspects. As we recently celebrated Juneteenth, I am reminded of what my ancestors endured, and I know that they would be proud of the progress we are making today. I know I am.

This essential legislation has critical provisi on including supporting the need for more deescalation training for officers, something that I have long fought for and which has proven time and time again to work. The bill will also block the transfer of weapons of war to police departments, end the no-knock warrants that led to the murder of Breonna Taylor, ban choke holds that killed Eric Garner and George Floyd, and finally end qualified immunity which has shielded police officers from receiving justice for killing or injuring members of the community.

As a member of the Congressional Black Caucus but more importantly as a black mother, grandmother, and now great grandmother, I am so proud to be an original sponsor of the legislation. Our communities are demanding action, calling for strong and effective action that will help not only prevent future tragedies between police and the communities they patrol, but also help increase trust and build safer communities.

This is a commonsense bill that deserves bipartisan support. This is the first step to making our union more perfect and I urge all my colleagues to support it.

Mr. SMITH of New Jersey, Mr. Speaker, the JUSTICE Act is designed to ensure greater transparency and accountability in policing in order to build safer communities. I cosponsored the JUSTICE Act because it is a serious, comprehensive and balanced re-form initiative—an important step forward.

I am deeply grateful to Senator Tim SCOTT and Congressman Pete STAUBER for authoring this bicameral legislation.

The killing of George Floyd while in custody by a Minneapolis police officer demands justice and has resulted in a fresh and necessary look at crime and policing in this country. I watched the video of Derek Chauvin kneeling on the neck of Mr. Floyd who pleaded “I can’t breathe” with horror and disbelief. Chauvin not only betrayed his solemn duty to serve and protect but he betrayed, as well, police officers throughout the nation who serve with great honor and valor, and make enormous sacrifices to protect the innocent and enforce the law.

Today I—like many Americans—believe that nonviolent dialogue and persuasion are not only the best but the only way to achieve meaningful change.

Those who commit violent acts against police and others, as well as those who destroy property and steal, should be prosecuted to the greatest extent of the law. The JUSTICE Act that we will vote on today includes new funding of $225 million for improved police training—including best practices for violence deescalation and alternatives to the use of force—which will likely reduce injury or death to both police officers and criminals alike. The legislation also includes the most effective approaches to suspects with mental health conditions and developmental disability including individuals with autism.

The JUSTICE Act also authorizes a $500 million matching grant program to help police departments purchase body-worn cameras and receive the necessary training to ensure optimal use. It conditions eligibility for this funding on certain criteria, including usage at all times when an officer arrests or detains another person.

The evidence for bodycam use is compelling. Studies have shown that the use of body-worn cameras can reduce complaints against officers by up to 90 percent and decrease officers’ use of force by 60 percent.

Other reforms embedded in the legislation include maintaining and appropriately sharing disciplinary records for officer hiring, use of force reporting to the FBI, no-knock warrant reporting, incentivizing chokehold bans and increased penalties for fatal shootings. The JUSTICE Act empowers the Community Oriented Policing Services (COPS) grant program to hire recruiters and enroll candidates in law enforcement academies to ensure racial and demographic representation that is similar to the communities served, and funds an education program for law enforcement on racism produced by the Smithsonian’s National Museum of African American History.

The bill makes lynching a federal crime. The legislation also creates the Commission on the Social Status of Black Men and Boys which will study and issue a wide-ranging report on conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels and health issues and will make recommendations to address these issues.

That said, why not vote for the Democrat bill that is before the House today as well? I have serious concerns that the language in H.R. 7120—the Democrat proposal—eviscerates qualified immunity in civil lawsuits for our women and men in law enforcement.

Let’s be clear, current policy provides no immunity whatsoever—nor should it ever—from civil liability for the actions of police officers for the deaths of citizens. The JUSTICE Act empowers the Attorney General in consultation with state and local governments, and organizations representing rank and file law enforcement officers to develop training curricula on the duty of a law enforcement officer to intervene when another officer engages in excessive use of force.

Had any one of the three officers on the scene in Minneapolis intervened when George Floyd pleaded that he couldn’t breathe, his life could have been saved.

I strongly urge my colleagues to support H.R. 7120 because it is an important and timely and thorough manner in which this bill serves to be recognized at this time because the George Floyd Justice in Policing Act de- assured unconditionally the very liberties guar- anteed within its text. Rather, it is in the hearts and minds of Americans in every community whatsoever—nor should it ever—from civil liability for the actions of police officers for the deaths of citizens.
Hon. JIM JORDAN, Chair, Committee on the Judiciary, out of decent cops enforcing the laws in good faith. . . .

If Section 102 became law, it would likely result in a flood of legal actions—an engraved invitation to sue law enforcement officers. Officers would be subject to a litigious police force using force where the use of force is necessary to save life or protect property—dismantling the ability of police to provide public safety in dangerous situations.

Finally, a June 15 letter from the NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS—which represents one thousand professional police associations and units and 241,000 officers throughout the United States—wrote: “Our most significant concerns include amending Section 242 of Title 18 United States Code (Sec. 362(c)). We advise prohibiting agencies from using force outlined in the 1989 U.S. Supreme Court decision Graham v. Connor (Sec. 364). The Supreme Court has repeatedly said that the most important factor to consider in appraising the reasonableness of the officer’s actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.”

Another provision of serious concern is the change proposed to the current legal standard of “objectivity reasonableness” for the use of force (Byrne JAG Grant funding alone for these initiatives stands at $2.3 billion) in Section 102 of the Democrat bill ends qualified immunity for law enforcement officers (Section 102). Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just crimes. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. We believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith. . . .

I include the entire letter in the Record:

NATIONAL ASSOCIATION
OF POLICE ORGANIZATIONS, INC.

Hon. JERI HodLADDER,
Chair, Committee on the Judiciary,
House of Representatives, Washington, DC.

Dear CHAIRMAN NADLER and RANKING MEMBER COHEN: I am writing to you today on behalf of the National Association of Police Organizations (NAPO), representing over 241,000 sworn law enforcement officers from across the country, to advise you of our position to the Justice in Policing Act, H.R. 7120, as currently written.

NAPO is a coalition of police unions and associations from across the nation, which was organized for the purpose of advancing the interests of America’s law enforcement officers through legislative advocacy, political action, and public education. We work for our members in the public agencies they serve.

Unequivocally, what happened to George Floyd was egregious. There is no legal justification, self-defense justification, or moral justification for the actions of the officer. We, as rank-and-file officers, support improving policing practices. While we do have significant concerns with several provisions of the Justice in Policing Act, we believe there are areas that we can come together on to address the need for greater transparency, accountability, and training in law enforcement.

Section 102 of the Democrat bill ends qualified immunity and states in pertinent part that “it shall not be a defense or immunity in any action brought under this section against a local law enforcement officer . . . even if . . . the defendant was acting in good faith, or if the defendant believed, reasonably or otherwise, that his or her conduct law was lawful at the time when the conduct was committed. . . .”

If Section 102 became law, it would likely result in a flood of legal actions—an engraved invitation to sue law enforcement officers. Moreover, if our police force is made subject to a litigious police force using force where the use of force is necessary to save life or protect property—dismantling the ability of police to provide public safety in dangerous situations.

Sincerely,

WILLIAM J. JOHNSON, Esq.,
Executive Director.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today in strong support of H.R. 7120, the George Floyd Justice in Policing Act. In Los Angeles, the Chairwoman of the Congressional Black Caucus, KAREN BASS, for her tireless work and leadership on this bill.

The murders of George Floyd and Breonna Taylor were a devastating tragedy. My heart breaks for their families and all the families who have lost loved ones as a result of abuse of power at the hands of law enforcement.

We expect members of law enforcement to protect us and help keep our communities safe. When we lose people like George and Breonna in senseless and bizarre acts of violence, that trust understandably disappears. Rightfully horrified and angered against displays of police brutality, Americans across the country of all racial and ethnic backgrounds, are marching in the streets to declare the fundamental truth that Black Lives Matter, and to demand justice for all the lives lost at the hands of police brutality.

The George Floyd Justice in Policing Act is a bold bill that will help address racial injustice and police brutality, head on, for all Americans. Also important is that it will help rebuild the trust between the majority of good, decent law enforcement officers and the communities they have sworn to protect and to serve.

The George Floyd Justice in Policing Act will help to save lives.
It will ban chokeholds, like the one used to murder George Floyd as he cried out for his mother.

It bans no-knock warrants, like the one used by Louisville police officers which resulted in the shooting death of Breonna Taylor while she was sleeping in her home.

This bill will bring transparency to law enforcement practices by mandating the use of body cameras and holding officers who abuse their power accountable.

Furthermore, this bill ends qualified immunity, a legal protection that makes it nearly impossible for victims of police brutality to hold their abusers liable.

This bill also reduces the ability of corrupt police officers to work in new jurisdictions by creating a national database on police misconduct.

In response to the militarization of our police force, this bill will also stop the transfer of military weapons to law enforcement agencies in our communities. Weapons of war have no place on our streets.

And finally, H.R. 7120 closes the law enforcement agency consent loophole, making it a crime for law enforcement to engage in any sexual activity with individuals in their custody.

This bill is not the end-all solution. It will not end the root causes of systemic racism and police brutality. Nor will it address the systems of policing practices across the country and the thal force that has diminished community trust.

They remember as well the senseless killings of Ahmaud Arbery and Trayvon Martin by self-appointed vigilantes, Robbie Tolan, shot by police at his own home and he lived but was seriously injured.

And the continuing need for their activism is reflected in the most recent outrage, which began on June 12, 2020 and ended in the senseless slaughter of Rayshard Brooks, who was simply sleeping in his car at a local Wendy's restaurant, by a uniformed officer of the Atlanta Police Department.

Indeed, the history goes back much further, past Amoudu Diallo in New York City, past the Central Park Five, past Emmett Till, past the Racist abuse of law enforcement power during the struggle for civil rights and equal treatment.

Mr. Speaker, the times we are in demand that action be taken and that is precisely what my colleagues in the Congressional Black Caucus, on this committee, and Congressional Democrats did in introducing H.R. 7120, the George Floyd Justice in Policing Act of 2020. And we are taking the next bold action today in voting to pass this legislation and send it to the Senate and on to the White House for presidential signature and enactment.

I support this bold legislation not just as a senior member of the House Judiciary Committee who also served on the House Working Group on Police Strategies, but also a mother of a young African American male who knows the anxiety that African American mothers feel until they can hug their sons and daughters who return home safely, and on behalf of all those relatives and friends who grieve over the loss a loved one whose life and future was wrongly and cruelly interrupted or ended by misreatment at the hands of the police.

The George Floyd Justice in Policing Act of 2020 is designed to destroy the pillars of systemic racism in policing practices that has victimized communities of color, and especially African Americans for decades, is overdue, too long overdue.

This legislation puts the Congress of the United States, on record against racial profiling in policing and against the excessive, unjustified, and discriminatory use of lethal and force by law enforcement officers against persons who are complying.

The legislation means no longer will employment of tactics that encourage systemic mistreatment of persons because of their race be ignored or tolerated.

With our vote today to pass the George Floyd Justice in Policing Act of 2020, the government of the United States is declaring firmly, forcefully, and unequivocally that Black Lives Matter.

It is true all lives matter, they always have. But the importance of abiding by the rules for surviving interactions with the police.

While many police officers take this responsibility seriously and strive to treat all persons equally and with respect, their efforts are too often undermined by some of their colleagues who abuse the enormous trust and confidence placed in them.

And systemically racist systems and practices left in place can corrupt even the most virtuous police officials.

So, the most important criminal justice reforms needed to improve the criminal justice system for those that will increase public confidence and build trust and mutual respect between law enforcement and the communities they swear an oath and are willing to risk their lives to protect and serve.

That is the overriding purpose and aim of the George Floyd Justice in Policing Act of 2020, which contains numerous provisions to weed out and eliminate systemic racism in police practices.

Specifically, this legislation holds police accountable in our courts by:

1. Amending the mens rea requirement in federal law (18 U.S.C. Section 242) to prosecute misconduct from “willfulness” to a “recklessness” standard;

2. Reforming qualified immunity so that individuals are not barred from recovering damages when police violate their constitutional rights;

3. Incentivizing state attorneys general to conduct pattern and practice investigations and improving the use of pattern and practice investigations at the federal level by granting the Department of Justice Civil Rights Division subpoena power;

4. Incentivizing states to create independent investigative structures for police involved deaths; and


I am particularly pleased that the George Floyd Justice In Policing Act includes the End Racial Profiling Now Act, which I introduced to ban the pernicious practice of racial profiling.

In addition, I am proud that this legislation includes as Title I, Subtitle B, the bipartisan and bicameral George Floyd Law Enforcement Trust and Integrity Act, which I introduced as H.R. 7100.

This legislation provides incentives for local police organizations to voluntarily adopt performance-based standards to ensure that incidents of deadly force or misconduct will be minimized through appropriate management and training protocols and properly investigated, should they occur.

The legislation makes the Department of Justice to work cooperatively with independent accreditation, law enforcement and community-based organizations to further develop and refine the accreditation standards and
MOTION TO RECOMMEND

Mr. STAUBER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. STAUBER. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Stauber moves to recommit the bill, H.R. 7120, to the Committee on Judiciary with instructions to report the same back to the House forthwith, with the following amendments:

Strike section 2 and all that follows, and insert the following (and conform the table of contents accordingly):

**TITLE I—LAW ENFORCEMENT REFORMS**

**SEC. 101. GEORGE FLOYD AND WALTER SCOTT NOTIFICATION ACT.**

(a) Short title.—This section may be cited as the “George Floyd and Walter Scott Notification Act.”

(b) National Use-of-Force Data Collection.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 10152) is amended by adding at the end the following:

(1) National Use-of-Force Data Collection

(1) Definitions.—In this section—

(A) the term ‘law enforcement officer’—

(i) means any officer, agent, or employee of a State, unit of local government, or an Indian tribe authorized by law or by a government agency to engage in or supervise the prevention detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders; and

(ii) includes an individual described in clause (i) who serves in a full-time, part-time, or auxiliary capacity;

(B) the term ‘National Use-of-Force Data Collection’ means the National Use-of-Force Data Collection of the Federal Bureau of Investigation; and

(C) the term ‘serious bodily injury’ means bodily injury that involves a substantial risk of death, permanent disfigurement, unconsciousness, severe physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

(2) Reporting Requirement.—For each fiscal year in which a State or unit of local government receives funds under subsection (a), the attorney general of a State, or the head of a unit of local government, shall report to the National Use-of-Force Data Collection on an annual basis and pursuant to guidelines established by the Federal Bureau of Investigation, information regarding—

(A) a use-of-force event by a law enforcement officer in the State or unit of local government that involves—

(i) the fatality of an individual that is connected to use of force by a law enforcement officer;

(ii) the serious bodily injury of an individual that is connected to use of force by a law enforcement officer; and

(iii) in the absence of either death or serious bodily injury, when a firearm is discharged by a law enforcement officer;

(B) any event in which a firearm is discharged by a civilian at or in the direction of an individual;

(C) the death or serious bodily injury of a law enforcement officer that results from any discharge by a civilian, or any other means, including whether the law enforcement officer was killed or suffered serious bodily injury as part of an ambush or calculated attack.

(3) Information required.—For each use-of-force event required to be reported under paragraph (2), the following information shall be provided, as required by the Federal Bureau of Investigation:

(A) Incident information.

(B) Subject information.

(C) Officer information.

(4) Compliance.—

(A) Ineligibility for Funds.—

(B) First Fiscal Year.

(C) States.—For the first fiscal year beginning after the date of enactment of the George Floyd and Walter Scott Notification Act in which a State fails with paragraph (2) of the act laws enforcement plan, the State shall be subject to a 20-percent reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year, and if any unit of local government within the State fails to comply with paragraph (2), the State shall be subject to a reduction of the funds allocated for retention by the State under section 505(c) that is equal to the percentage of the population of the State represented by the unit of local government, not to exceed 25 percent.

(II) Local Governments.—For the first fiscal year beginning after the date of enactment of the George Floyd and Walter Scott Notification Act in which a unit of local government fails to comply with paragraph (2), the unit of local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the unit of local government for that fiscal year under this subpart.

(II) Subsequent Fiscal Years.—

(A) States.—Beginning in the first fiscal year beginning after the first fiscal year described in clause (i) in which a State fails to comply with paragraph (2), the percentage by which the funds described in clause (i)(I) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with paragraph (2), except that such reduction shall not exceed 25 percent in any fiscal year.

(B) Local Governments.—Beginning in the first fiscal year beginning after the first fiscal year described in clause (i)(II) in which a unit of local government fails to comply with paragraph (2), the percentage by which the funds described in clause (i)(II) are reduced shall be increased by 5 percent each fiscal year the unit of local government fails to comply with paragraph (2), except that such reduction shall not exceed 25 percent in any fiscal year.

(5) Public Availability of Data.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Director of the Federal Bureau of Investigation shall publish, and make available to the public, the National Use-of-Force Data Collection.

(6) FBI Outreach and Technical Assistance.—The Director of the Federal Bureau of Investigation shall provide to a State or unit of local government technical assistance and training for the collection and submission of data in accordance with this subsection.

**SEC. 102. BRENNA TAYLOR NOTIFICATION ACT.**

This Act may be cited as the “Brenna Taylor Notification Act of 2020”.

June 25, 2020

CONGRESSIONAL RECORD — HOUSE

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gov grants conditional authority to the Department of Justice to make grants to law enforcement agencies for the purpose of obtaining accreditation from certified law enforcement accreditation organizations.

As I have stated many times, direct action is vitally important but to be effective it must be accompanied by political, legislative, and governmental action, which is necessary because the strength and foundation of democratic government rests upon the consent and confidence of the governing of the governed.

Effective enforcement of the law and administration of justice requires the confidence of the community that the law will be enforced impartially and that all persons are treated equally without regard to race or ethnicity or religion or national origin.

As the great jurist Judge Learned Hand said: ‘‘If we are to keep our democracy, there must be one commandment: thou shalt not ration justice.’’

Equal justice is the proud promise America makes to all persons; the George Floyd Justice in Policing Act will help make that promise a lived reality for African Americans, who have not even known it to be true in the area of community-police relations.

And Black Matter, then and only then can it truthfully be said that all lives matter.

Finally, let me say a few words in memory of the man whose sacrifice of his inalienable right to life has galvanized the world and awakened the sleeping giant of moral decency.

Mr. Speaker, in Acts 2:23 of the Scriptures it is written that ‘‘This man was handed over to you by God’s deliberate plan and foreknowledge; and you with the help of wicked men, put him to death by nailing him to the cross.’’

Duty calls us to improve the quality of policing in America.

We cannot agitate for change one day and then allow things to remain the same, to allow wicked men to keep committing this crime against humanity.

This behavior did not begin with George Floyd; there is a 400-years of history here, from slave patrols, to Jim Crow to Bull Connor to the modern day lynching of George Floyd by Minneapolis police officer Derek Chauvin.

But the good news is that right is on our side; God has stepped in.

In John 1:46 it is said, ‘‘can anything good come out of Nazareth?’’

When he growing up I am sure there were people who saw George Floyd and asked can anything good come out of the Third Ward of Houston?’’

We now know the answer is clearly yes.

George Floyd was here in service to God’s divine plan.

And as his daughter Gianna said, her Daddy changed the world.

Thank you, George Floyd for what you have done for us, for helping us find our voice and our resolve.

We will not let you down; we will finish the job.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1017, the previous question is ordered on the bill, as amended.

The question is on the engrossment of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.
(b) NO-KNOCK WARRANT REPORTS.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as amended by section 101 of this Act, is amended by adding at the end the following:

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(i) NO-KNOCK WARRANT REPORTS.—
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(i) DEFINITIONS.—In this subsection:
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(A) STATE LAW ENFORCEMENT AGENCY; LOCAL LAW ENFORCEMENT AGENCY.—The term ‘Federal law enforcement agency’ means any agency of the United States authorized to engage in or supervise the prevention of law enforcement activities.
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(ii) The term ‘local government’ means any city, county, or other local government of a State.
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(B) REALLOCATION.—A local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year.
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(C) PENALTY.—
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(1) First fiscal year.—
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(aa) STATES.—
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(II) whether, in the course of carrying out the warrant—
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(aa) force resulting in property damage, serious bodily injury, or death;
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(bb) any law enforcement officer, suspect, or bystander was injured or killed;
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(bb) UNITS OF LOCAL GOVERNMENT.—For the first fiscal year that follows a fiscal year in which a unit of local government fails to comply with subparagraph (A), the unit of local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the unit of local government by the State under section 505(c) for that fiscal year.
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(II) SUBSEQUENT FISCAL YEARS.—
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(aa) STATES.—Beginning in the first fiscal year beginning after the first fiscal year described in subparagraph (A) with respect to a State law enforcement agency, the percentage by which the funds otherwise allocated for retention by the State under section 505(c) for that fiscal year by a percentage that is equal to the percentage of the population of the State that is living in a publicly owned housing unit, which may not exceed 20 percent.
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(bb) UNITS OF LOCAL GOVERNMENT.—For the first fiscal year beginning after the first fiscal year described in subparagraph (A) with respect to a State law enforcement agency, the percentage by which the funds described in clause (i) are reduced shall be increased by 5 percent each fiscal year, except that such reduction shall not exceed 25 percent in any fiscal year.
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(bb) LOCAL GOVERNMENTS.—Beginning in the first fiscal year following the first fiscal year described in subsection (i)(aa)(A) in which a State fails to comply with subparagraph (A) with respect to a State law enforcement agency, the percentage by which the funds described in subsection (i)(aa)(A) are reduced shall be increased by 5 percent each fiscal year, except that such reduction shall not exceed 25 percent in any fiscal year.
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(II) EFFECTIVE DATE.—Clause (i) shall take effect with respect to the third annual report due under subparagraph (A) after the date of enactment of the Breonna Taylor Notification Act of 2020.
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(3) OPEN INVESTIGATIONS.—
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(A) IN GENERAL.—Subject to subparagraph (B), not later than March 31 of the first calendar year beginning after the date of enactment of the Breonna Taylor Notification Act of 2020, and annually thereafter, the Attorney General shall publish a report that includes—
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(I) the reason for which the warrant was issued, including each violation of law listed on the warrant;
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(II) whether, in the course of carrying out the warrant—
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(aa) force resulting in property damage, serious bodily injury, or death;
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(bb) any law enforcement officer, suspect, or bystander was injured or killed;
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(III) the sex, race, ethnicity, and age of each person found at the location for which the no-knock warrant was issued;
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(IV) whether the location searched was a residence, workplace, or business;
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(V) whether the warrant included the particularized information required under the Fourth Amendment to the Constitution of the United States and any applicable Federal, State, or local law related to the use of no-knock warrants; and all collection systems that capture the information for which information is submitted under clause (i) for a calendar year, the crime rate data for the applicable unit of local government for that calendar year.
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(B) OPEN INVESTIGATIONS.—The Attorney General—
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(i) may not publish any information described in subparagraph (A) for a no-knock warrant relating to an investigation that has not been closed as of the date on which the applicable report is due under that paragraph;
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(ii) shall include any information withheld under clause (i) in the earliest subsequent report published under subparagraph (A) after the investigation has been closed.
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SEC. 101. GUIDANCE.
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(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Director of the Federal Bureau of Investigation and State and local law enforcement agencies, shall issue guidance on best practices relating to establishing standard data collection systems that capture the information required to be reported under subsection (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), which shall include standard and consistent definitions for terms, including the term ‘use of force’.
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(b) PRIVACY PROTECTIONS.—Nothing in section 101 or 102 shall be construed to supercede the requirements or limitations under section 522 of title 5, United States Code (commonly known as the ‘Privacy Act of 1974’).
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SEC. 104. COMPLIANCE ASSISTANCE GRANTS.
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(a) IN GENERAL.—The Attorney General may award grants to States and units of local government to assist in the collection of the information required to be reported under subsection (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i) is consistent with data reported under the Death in Custody Reporting Act of 2013 (34 U.S.C. 60185 et seq.), section 2010(h)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12014(a)(2)), which shall include standard and consistent definitions for terms, including the term ‘use of force’.
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(b) APPLICATION.—A State or unit of local government seeking a grant under this section shall submit an application at such time and in such manner, and containing such information as the Attorney General may require.
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SEC. 105. INCENTIVIZING BANNING OF CHOKEHOLDS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) chokeholds are extremely dangerous maneuvers that easily result in serious bodily injury or death;

(2) George Floyd’s death has become a flashpoint to compel the need to address the use of chokeholds by law enforcement officers across the United States;

(3) the National Consensus Policy on Use of Force, a collaborative effort among 11 of the most significant law enforcement leadership and labor organizations in the United States, concluded in a discussion paper on the use of force that chokeholds are extremely dangerous maneuvers that need to be restricted or prohibited.

(b) INCENTIVIZING BANNING OF CHOKEHOLDS.—

(1) COPS GRANT PROGRAM ELIGIBILITY.—Section 101 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381), as amended by section 601 of this Act, is amended by adding at the end the following—

"(o) BANNING OF CHOKEHOLDS.—"

"(1) CHOKEHOLD DEFINED.—In this subsection, the term ‘chokethold’ means a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

"(2) LIMITATION ON ELIGIBILITY FOR FEDERAL GRANTS.—A local government may not receive funds under this section if on the first day of the fiscal year, the State or unit of local government does not have an agency-wide policy in place for each law enforcement agency to develop a policy prohibiting the use of choketholds except when deadly force is authorized.

"(3) R EQUIREMENT.—The head of each Federal law enforcement agency shall implement the policy developed under paragraphs (1) and (2).

"(4) INCENTIVES.—Each grant award under this section shall be subject to financial penalties by the Department of Justice for violation of this section.

SEC. 106. FALSIFYING POLICE INCIDENT REPORTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) when a law enforcement officer commits an offense that deprives a citizen of their rights, privileges, and immunities protected under the Constitution and laws of the United States, that behavior is penalized to punish those involved and to deter future conduct;

(b) PENALTY.—Any person who falsifies, conceals, or covers up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(a) DEFINITIONS.—In this section—

"(1) C HOKETHOLD DEFINED.—In this subsection, the term ‘chokethold’ means a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

"(3) the term ‘term of government’ and ‘local government’ means—

"(A) are developed with community input, training on the use of body-worn cameras in connection with recognized best practices;

"(B) require that a body-worn camera be engaged, and that the official duties of the officer, with consideration to sensitive cases;

"(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, the officer properly secures at all times during which the camera is required to be worn;

"(D) require training for—

"(i) the proper use of body-worn cameras;

"(ii) the handling and use of obtained video and audio recordings;

"(iii) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(B) PENALTY.—Any person who falsifies, conceals, or covers up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(a) DEFINITIONS.—In this section—

"(1) C HOKETHOLD DEFINED.—In this subsection, the term ‘chokethold’ means a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

"(3) the term ‘term of government’ and ‘local government’ means—

"(A) are developed with community input, training on the use of body-worn cameras in connection with recognized best practices;

"(B) require that a body-worn camera be engaged, the officer properly secures at all times during which the camera is required to be worn;

"(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, the officer properly secures at all times during which the camera is required to be worn;

"(D) require training for—

"(i) the proper use of body-worn cameras;

"(ii) the handling and use of obtained video and audio recordings;

"(iii) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(B) PENALTY.—Any person who falsifies, conceals, or covers up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(a) DEFINITIONS.—In this section—

"(1) C HOKETHOLD DEFINED.—In this subsection, the term ‘chokethold’ means a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

"(3) the term ‘term of government’ and ‘local government’ means—

"(A) are developed with community input, training on the use of body-worn cameras in connection with recognized best practices;

"(B) require that a body-worn camera be engaged, the officer properly secures at all times during which the camera is required to be worn;

"(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, the officer properly secures at all times during which the camera is required to be worn;

"(D) require training for—

"(i) the proper use of body-worn cameras;

"(ii) the handling and use of obtained video and audio recordings;

"(iii) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(B) PENALTY.—Any person who falsifies, conceals, or covers up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(a) DEFINITIONS.—In this section—

"(1) C HOKETHOLD DEFINED.—In this subsection, the term ‘chokethold’ means a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

"(3) the term ‘term of government’ and ‘local government’ means—

"(A) are developed with community input, training on the use of body-worn cameras in connection with recognized best practices;

"(B) require that a body-worn camera be engaged, the officer properly secures at all times during which the camera is required to be worn;

"(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, the officer properly secures at all times during which the camera is required to be worn;

"(D) require training for—

"(i) the proper use of body-worn cameras;

"(ii) the handling and use of obtained video and audio recordings;

"(iii) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(B) PENALTY.—Any person who falsifies, conceals, or covers up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(a) DEFINITIONS.—In this section—

"(1) C HOKETHOLD DEFINED.—In this subsection, the term ‘chokethold’ means a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation.

"(3) the term ‘term of government’ and ‘local government’ means—

"(A) are developed with community input, training on the use of body-worn cameras in connection with recognized best practices;

"(B) require that a body-worn camera be engaged, the officer properly secures at all times during which the camera is required to be worn;

"(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, the officer properly secures at all times during which the camera is required to be worn;

"(D) require training for—

"(i) the proper use of body-worn cameras;

"(ii) the handling and use of obtained video and audio recordings;

"(iii) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

"(B) PENALTY.—Any person who falsifies, conceals, or covers up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.
the case of an assault on a law enforcement officer; and

"(F) make footage available to the public in response to a valid request under an applicable freedom of information law if the footage can be made available—

"(i) without compromising an ongoing investigation or revealing the identity of third parties, including victims, informants, or witnesses; and

"(ii) with consideration given to the rights of victims and surviving family members.

"(2) any other provision of law that makes funds available for the purchase of body-worn cameras.

(b) REQUIREMENT.—

"(1) STATES.—A State that receives funds under a covered provision shall—

"(A) make a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn; and

"(B) ensure that any entity to which the State awards a subgrant under the covered provision has a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

"(2) OTHER ENTITIES.—An entity other than a State that receives funds under a covered provision shall have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

(c) COMPLIANCE.—

"(1) INELIGIBILITY FOR FUNDS.—

"(A) FIRST FISCAL YEAR.—

"(i) STATES.—Beginning in the first fiscal year beginning after the date of enactment of this Act in which a State fails to comply with subsection (b)(1), the State shall be subject to a 20-percent reduction of the funds that would otherwise be provided to the State under the applicable covered provision for that fiscal year.

"(ii) OTHER ENTITIES.—For the first fiscal year beginning after the date of enactment of this Act in which an entity other than a State fails to comply with subsection (b), the percentage by which the funds described in subparagraph (A)(i) are reduced shall be increased by 5 percent each fiscal year the entity fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

"(2) REALLOCATION.—Amounts not allocated under covered provision to a State or other entity for failure to comply with subsection (b) shall be reallocated under the covered provision to States or other entities that comply with the requirements under paragraph (1).

TITLE III—LAW ENFORCEMENT RECORDS RETENTION

SEC. 301. LAW ENFORCEMENT RECORDS RETENTION.

(a) IN GENERAL.—Part E of title I of the Omnibus Crime Control and Safe Streets Acts of 1968 (43 U.S.C. 1051 et seq.) is amended by adding at the end the following:

"Subpart 4—Law Enforcement Records Retention

"SEC. 351. LAW ENFORCEMENT RECORDS RETENTION.

"(a) DEFINITIONS.—In this section—

"(i) the term 'disciplinatory record' means—

"(I) a record of any investigation or internal investigation record regarding an allegation of misconduct by a law enforcement officer that—

"(aa) is substantiated and is adjudicated by a law enforcement agency or court; and

"(bb) results in—

"(aa) adverse action by the employing law enforcement agency; or

"(bb) criminal charges; and

"(II) any other provision of law that makes records available to States or other entities that—

"(aa) have complied with any other provision of law that makes records available to States or other entities that—

"(aa) have complied with subsection (b); and

"(aa) make all policies and procedures regarding body-worn cameras available on a public website.

"(ii) body-worn cameras available on a public website.

"(iii) body-worn cameras required to be worn by law enforcement officers.

"(iv) body-worn cameras purchased using Federal funds.

"(v) a covered provision.

"(v) the requirements under paragraph (1).

"(2) PUBLICATION.—A covered government shall ensure—

"(i) with consideration given to the rights of victims and surviving family members.

"(ii) OTHER ENTITIES.—Beginning in the first fiscal year beginning after the date of enactment of this Act in which an entity other than a State fails to comply with subsection (b), the percentage by which the funds described in subparagraph (A)(i) are reduced shall be increased by 5 percent each fiscal year the entity fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

"(2) REALLOCATION.—Amounts not allocated under covered provision to a State or other entity for failure to comply with subsection (b) shall be reallocated under the covered provision to States or other entities that comply with the requirements under paragraph (1).

"(F) means any written document regarding an allegation of misconduct by a law enforcement officer that—

"(i) is substantiated and is adjudicated by a law enforcement agency or court; and

"(ii) results in—

"(I) adverse action by the employing law enforcement agency; or

"(II) criminal charges; and

"(II) such other information as the Director determines appropriate.

"(ii) a summary of the information provided by a grant under this section for the fiscal year.

"(iii) a summary of the information provided by a grant under this section—

"(A) FIRST FISCAL YEAR.—

"(i) STATES.—Beginning in the first fiscal year beginning after the date of enactment of this Act in which a State fails to comply with subsection (b)(1), the State shall be subject to a 20-percent reduction of the funds that would otherwise be provided to the State under the applicable covered provision for that fiscal year.

"(ii) OTHER ENTITIES.—For the first fiscal year beginning after the date of enactment of this Act in which an entity other than a State fails to comply with subsection (b), the percentage by which the funds described in subparagraph (A)(i) are reduced shall be increased by 5 percent each fiscal year the entity fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

"(F) make footage available to the public in response to a valid request under an applicable freedom of information law if the footage can be made available—

"(i) without compromising an ongoing investigation or revealing the identity of third parties, including victims, informants, or witnesses; and

"(ii) with consideration given to the rights of victims and surviving family members.

"(2) any other provision of law that makes funds available for the purchase of body-worn cameras.

(b) REQUIREMENT.—

"(1) STATES.—A State that receives funds under a covered provision shall—

"(A) have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn; and

"(B) ensure that any entity to which the State awards a subgrant under the covered provision has a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

"(2) OTHER ENTITIES.—An entity other than a State that receives funds under a covered provision shall have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

"(2) AGGREGATE AMOUNT PER STATE.—A State and each covered government within the State may not receive grants under this section for a fiscal year in an aggregate amount that is more than 20 percent of the total amount appropriated for grants under this section for the fiscal year.

"(3) STATE AND UNITS OF LOCAL GOVERNMENT.—For purposes of this section, the term 'covered provision' means—

"(A) any other provision of law that makes records available to States or other entities that—

"(I) are engaged, functional, and properly secured at all times during which the camera is required to be worn.

"(2) AGGREGATE AMOUNT PER STATE.—A State that receives funds under a covered provision may not receive a grant under this section for a fiscal year in an amount that is not less than 5 percent of the total amount appropriated for grants under this section for the fiscal year.

"(A) DEFINITIONS.—In this section, the term 'covered provision' means—

"(I) section 509 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 201; and

"(I) the term 'covered provision' means—

"(I) the term 'applicable covered system', with respect to a law enforcement agency, means the covered system of the covered government to which the funds described in subparagraph (A) are awarded.

"(2) MAXIMUM AMOUNT.—

"(A) AMOUNT PER COVERED GOVERNMENT.—A covered government may not receive a grant under this section for a fiscal year in an amount that is more than 20 percent of the total amount appropriated for grants under this section for the fiscal year.

"(2) AGGREGATE AMOUNT PER STATE.—A State and each covered government within the State may not receive grants under this section for a fiscal year in an aggregate amount that is more than 20 percent of the total amount appropriated for grants under this section for the fiscal year.

"(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall not be used to supplant covered government funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from covered government sources for the purposes of this section.

"(g) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall not be used to supplant covered government funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from covered government sources for the purposes of this section.

"(g) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall not be used to supplant covered government funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from covered government sources for the purposes of this section.
Congress finds the following:

(1) The crime of lynching succeeded slavery as the ultimate expression of racism in the United States Reconstructions.

(2) Lynching was a widely acknowledged form of crime that occurred throughout the United States, with documented incidents in all but 4 States.

(3) Lynching prompted African Americans to form the National Association for the Advancement of Colored People (referred to in this section as the "NAACP") and to protest lynching by establishing the Black Labor Union.

(4) At least 4,742 people, predominantly African American, were lynched in the United States between 1882 and 1968.

(5) Ninety-nine percent of all perpetrators of lynching escaped punishment by State or local officials.

(6) Lynching prompted African Americans to form the National Association for the Advancement of Colored People (referred to in this section as the "NAACP") and to protest lynching by establishing the Black Labor Union.

(7) Mr. William White, as a member of the NAACP, led the executive secretary of the NAACP from 1912 to 1955, meticulously investigated lynching in the United States and worked tirelessly to end segregation and racialized violence.

(8) Nearly 200 anti-lynching bills were introduced in Congress during the first half of the 20th century.

(9) Between 1990 and 1992, 7 Presidents petitioned Congress to end lynching.

(10) Between 1920 and 1940, the House of Representatives passed 3 strong anti-lynching measures.

(11) Protection against lynching was the minimum and most basic of Federal responsibilities, and the Senate considered failed to enact anti-lynching legislation despite repeated requests by civil rights groups, Presidents, and the House of Representatives to do so.

(12) The publication of “Without Sanctuary: Lynching Photography in America” helped bring greater awareness and proper recognition of lynching.

(13) Only by coming to terms with history can the United States effectively champion human rights abroad.

(14) An apology offered in the spirit of true repentance moves the United States toward reconciliation and may become central to a new understanding, on which improved relations can be forged.

(15) Having concluded that a reckoning with our own history is the only way the country can effectively champion human rights abroad, the United States Senate agreed to Senate Resolution 39, 109th Congress, on June 13, 2005, to apologize to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

(16) The National Memorial for Peace and Justice, dedicated to the public in Montgomery, Alabama, on April 26, 2018, is the Nation’s first memorial dedicated to the legacy of enslaved Black people, people terrorized by racial intimidation, lynching, and violence and people of color burdened with contemporary presumptions of guilt and police violence.

(17) Notwithstanding the Nation’s apology and the heightened awareness and education about the Nation’s legacy with lynching, it is wholly necessary and appropriate for the Congress to end lynching by providing for unsuccessful legislative efforts, finally to make lynching a Federal crime.
United States Code, is amended by inserting after the item relating to section 249 the following:

"250. Lynching."

**TITLE V—COMMISSION ON THE SOCIAL STATUS OF BLACK MEN AND BOYS**

**SEC. 501. SHORT TITLE.**

This title may be cited as the “Commission on the Social Status of Black Men and Boys Act.”

**SEC. 502. COMMISSION ESTABLISHMENT AND MEMBERSHIP.**

(a) **ESTABLISHMENT.**—The Commission on the Social Status of Black Men and Boys (hereinafter in this title referred to as “the Commission”) is established within the United States Commission on Civil Rights Office of Strategic Affairs and Operations.

(b) **MEMBERSHIP.**—The Commission shall consist of 19 members appointed as follows:

(1) The Senate majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(2) The Senate minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(3) The House of Representatives majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(4) The House of Representatives minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(5) The Chair of the Congressional Black Caucus shall be a member of the Commission, as well as 5 additional Members of the Congressional Black Caucus who shall be individuals that either sit on the following committees of relevant jurisdiction or are experts on issues affecting Black men and boys in America.

(6) The Staff Director of the United States Commission on Civil Rights shall appoint one member from within the staff of the United States Commission on Civil Rights who is an expert in issues relating to Black men and boys.


(8) The Secretary of Education shall appoint one member from within the Department of Education who is an expert in education issues impacting Black men.

(9) The Attorney General shall appoint one member from within the Department of Justice who is an expert in racial disparities within the criminal justice system.

(10) The Secretary of Health and Human Services shall appoint one member from within the Department of Health and Human Services who is an expert in health issues facing Black men.

(11) The Secretary of Housing and Urban Development shall appoint one member from within the Department of Housing and Urban Development who is an expert in housing and development in urban communities.

(12) The Secretary of Labor shall appoint one member from within the Department of Labor who is an expert in labor issues impacting Black men.

(13) The President of the United States shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

(c) **MEMBERSHIP BY POLITICAL PARTY.**—If after the Commission is appointed there is a partisan imbalance of Commission members, the commission will seek to redress this imbalance with new political party members from among the list of eligible nominees, with no less than 5% of the members per political party.

SEC. 503. DUTIES AND RESPONSIBILITIES OF COMMISSION.

(a) **TIMING OF INITIAL APPOINTMENTS.**—Each initial appointment to the Commission shall be made within 30 days after the date all appointed members are available.

(b) **MEMBERSHIP REMOVAL.**—If any member fails to attend 3 meetings of the Commission in a calendar year, the member’s term shall be extended for 30 days after the end of the calendar year before the next meeting of the Commission.

(c) **QUALIFICATIONS.**—Each member of the Commission shall be committed to the principles of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251(a)).

SEC. 504. LEADERSHIP ELECTION.

At the first meeting of the Commission each year, the members shall elect a Chair and a Secretary. In the event of a vacancy occurring in the Chair or Secretary’s term, the Commission members shall elect a replacement to finish that term.

**SEC. 505. COMMISSION DUTIES AND POWERS.**

(a) **SPECIAL PROJECTS.**—

(1) **IN GENERAL.**—The Commission shall conduct a systematic study of the conditions affecting Black men and boys, including but not limited to incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance, and post-secondary education and college, and health issues.

(2) **TRENDS.**—The Commission shall document the trends described in paragraph (1) and report on the community impacts of relevant government programs within the scope of such topics.

(b) **PROPOSALS.**—The Commission shall propose measures to alleviate and remedy the underlying causes of the conditions described in subsection (a), which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.

(c) **SUGGESTIONS AND COMMENTS.**—The Commission shall accept suggestions or comments pertinent to the applicable issues from community leaders, organizations, governmental agencies, public and private organizations, and private citizens.

**SEC. 506. COMMISSION MEETING REQUIREMENTS.**

(a) **FIRST MEETING.**—The first meeting of the Commission shall take place no later than 30 days after the date all appointed members are available. Meetings shall be focused on significant issues impacting Black men and boys, for the purpose of initiating research and creating a strategy for the Commission to take action.

(b) **QUARTERLY MEETINGS.**—The Commission shall meet quarterly. In addition to all quarterly meetings, the Commission shall meet at other times at the call of the Chair or as determined by a majority of Commission members.

(c) **QUORUM; RULE FOR VOTING ON FINAL ACTIONS.**—A majority of the members of the Commission constitutes a quorum, and an affirmative vote of a majority of the members present is required for final action.

(d) **EXPECTATIONS FOR ATTENDANCE BY MEMBERS.**—Members are expected to attend all Commission meetings. In the case of an absence, members are expected to report to the Chair prior to the meeting and allow the Chair to make arrangements for the member to participate remotely. Members will still be responsible for fulfilling prior commitments, regardless of attendance status. If a member is absent twice in a given year, he or she will be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

(e) **MINUTES.**—Minutes shall be taken at each meeting by the Secretary, or in that individual’s absence, the Chair shall select another Commission member to take minutes at any time by the appointing authority on the Commission. Minutes are eligible for consecutive reappointment. Minutes can be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

**SEC. 507. ANNUAL REPORT GUIDELINES.**

The Commission shall make an annual report, beginning the year of the first Commission meeting, providing recommendations for how to create, develop, or improve upon government programs. The report shall be submitted to the President, the Congress, members of the President’s Cabinet, and the Chair of the appropriate committees of jurisdiction. The Commission shall make the report publicly available online on a centralized Federal website.

**SEC. 508. COMMISSION COMPENSATION.**

Members of the Commission shall serve on the Commission without compensation.

**TITLE VI—ALTERNATIVES TO THE USE OF FORCE, DE-ESCALATION, BEHAVIORAL HEALTH CRISIS AND DUTY TO INTERVENTION TRAINING**

**SEC. 601. TRAINING ON ALTERNATIVES TO USE OF FORCE, DE-ESCALATION, AND BEHAVIORAL HEALTH CRISIS.**

(a) **DEFINITIONS.**—(Section 901(a) of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251(a)) is amended—

(1) in paragraph (27), by striking “and” at the end;

(2) by striking the period at the end; and

(b) the term ‘de-escalation’ means taking action that communicates, verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation and
reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force used; and

(30) the term ‘behavioral health crisis’ means a situation in which the behavior of a person puts the person at risk of hurting himself or herself or others or preventing a person from being able to care for himself or herself or function effectively in the community, including a situation in which a person is under the influence of a drug or alcohol, is suicidal, or experiences symptoms of a mental illness.

(b) PS9 PROGRAM.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 1081) is amended by adding at the end the following:

(1) TRAINING CURRICULA.—The Attorney General, in consultation with relevant law enforcement agencies of States and units of local government, labor organizations, professional law enforcement organizations, and mental health organizations, shall develop training curricula in—

(A) alternatives to use of force and de-escalation tactics;

(B) safely responding to a person experiencing a behavioral health crisis, including techniques and strategies that are designed to prevent or resolve the person experiencing the behavioral health crisis, law enforcement officers, and the public.

(2) CERTIFIED PROGRAMS.—The Attorney General shall establish a process to certify public and private entities that offer courses in alternatives to use of force, de-escalation tactics, and techniques and strategies for responding to a behavioral health crisis; and

(3) TRANSITIONAL REGIONAL TRAINING PROGRAMS.—Until the end of fiscal year 2023, the Attorney General shall make grants to units of local government within the State to train officers employed by the State and units of local government to certify personnel from the law enforcement agencies of States and units of local government in a State to conduct training using the training curricula established under paragraph (1) or equivalents to the training curricula established under paragraph (1).

SEC. 702. FINDINGS.

(a) TRAINING PROGRAM.—The Attorney General shall establish a process to certify public and private entities that offer courses in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis to a certified entity.

(b) AUTHORITY.—The Attorney General shall, from amounts made available for this purpose under subsection (a), make grants to public and private entities that offer courses in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis; and

(1) pay for costs associated with conducting the training and for attendance by law enforcement personnel at an approved course in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis; and

(2) procure training in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis from a certified entity.

(2) ALLOCATION OF FUNDS.—

(A) IN GENERAL.—Of the total amount appropriated to the Attorney General for fiscal year 2021, the Attorney General shall allocate funds to each State in proportion to the number of law enforcement officers in the State and the amount of funds provided to the State under paragraph (2).

(B) AUTHORITY.—The Attorney General shall allocate funds to the State for the purposes described in this section and for the purposes described in section (a); and

(C) whether personnel from the law enforcement agencies of States and units of local government that employ officers who have successfully completed a course described under paragraph (2), or (3), which shall include the total number of law enforcement officers employed by the Attorney General and the number of officers who have completed the course.

(b) CHART PROGRAM.—The Attorney General may make grants to States and local law enforcement agencies to—

(A) pay for costs associated with attendance at a training course approved by the Attorney General under paragraph (2) or (3) of subsection (a); and

(B) procure training in the duty to intervene from a public or private entity certified under subsection (a)(2).

(2) APPLICATION.—Each State or local law enforcement agency seeking a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require.

(3) TRANSITIONAL REGIONAL TRAINING PROGRAMS.—Until the end of fiscal year 2023, the Attorney General shall make grants to public and private entities that offer courses in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis to a certified entity.

(4) LIST.—The Attorney General shall publish a list of law enforcement agencies of States and units of local government that employ officers who have successfully completed a course described under paragraph (2) or (3), which shall include the total number of law enforcement officers employed by the Attorney General and the number of officers who have completed the course.

(c) REPORTING.—The Attorney General shall prepare an annual report on the use of funds under this section to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

(1) UNITS OF LOCAL GOVERNMENT.—Any unit of local government that receives funds under subsection (a)(3) shall submit to the Attorney General—

(A) a report by the unit of local government

(ii) the total number of law enforcement officers employed by the State; and

(iii) any barriers to providing the training;

(b) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $250,000,000, to remain available until expended.

SEC. 510. TRAINING ON DUTY TO INTERVENE.

(a) TRAINING PROGRAM.—

(1) IN GENERAL.—The Attorney General, in consultation with relevant law enforcement agencies of States and units of local governments and organizations representing rank and file law enforcement officers, shall develop a training curriculum for law enforcement officers and agencies on the development, implementation, fulfillment, and enforcement of a duty of a law enforcement officer to intervene when another law enforcement officer is engaged in excessive use of force.

(b) CERTIFIED PROGRAMS.—The Attorney General shall establish a process to certify public and private entities that offer courses in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis from a certified entity.

(1) IN GENERAL.—Of the total amount appropriated to the Attorney General for fiscal year 2021, the Attorney General shall allocate funds to each State in proportion to the number of law enforcement officers in the State and the amount of funds provided to the State under paragraph (2).

(B) AUTHORITY.—The Attorney General shall allocate funds to the State for the purposes described in this section and for the purposes described in section (a); and

(c) REPORTING.—For the purpose of making grants under this section there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $250,000,000, to remain available until expended.

TITLE VII—NATIONAL CRIMINAL JUSTICE COMMISSION ACT

SECTION 701. SHORT TITLE.

This title may be cited as the ‘‘National Criminal Justice Commission Act of 2020’’.

SECTION 702. FINDINGS.

Congress finds that—
(1) It is in the interest of the United States to establish a commission to undertake a comprehensive review of the criminal justice system;

(2) There has not been a comprehensive study since the President's Commission on Law Enforcement and Administration of Justice was established in 1965;

(3) In the first 18 months, the President's Commission on Law Enforcement and Administration of Justice produced a comprehensive report entitled "The Challenge of Crime in aFree Society", which contained 200 specific recommendations on all aspects of the criminal justice system involving—

A. Federal, State, Tribal, and local governments;

B. civic organizations;

C. religious institutions;

D. business groups; and

E. Indian tribal governments;

(4) developments over the intervening 50 years require once again that Federal, State, Tribal, and local governments, law enforcement agencies, including rank and file officers, criminal rights organizations, community-based organization leaders, civic organizations, religious institutions, business groups, and individuals come together to review evidence and consider how to improve the criminal justice system.

SEC. 703. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the "National Criminal Justice Commission" (referred to in this title as the "Commission").

SEC. 704. PURPOSE OF THE COMMISSION.

The Commission shall—

(1) undertake a comprehensive review of the criminal justice system;

(2) submit to the President and Congress recommendations for Federal criminal justice reform; and

(3) disseminate findings and supplemental guidance to the Federal Government, as well as to State, local, and Tribal governments.

SEC. 705. REVIEW, RECOMMENDATIONS, AND REPORT.

(a) GENERAL REVIEW.—The Commission shall undertake a comprehensive review of all areas of the criminal justice system, including the criminal justice costs, practices, and policies of the Federal, State, local, and Tribal governments.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress recommendations for changes in Federal oversight, policies, practices designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system.

(2) UNANIMOUS CONSENT.—If an unanimous vote of the members of the Commission at a meeting where a quorum is present pursuant to section 706(d), the finding or supplemental guidance may be adopted and included in a report required under subsection (c) summaries of the input and recommendations of the leaders consulted under subparagraph (A).

(B) UNITED STATES SENTENCING COMMISSION.—To the extent the review and recommendations required by this section relate to sentencing policies and practices for the Federal criminal justice system, the Commission shall conduct the review in consultation with the United States Sentencing Commission.

(h) SENSE OF CONGRESS ON UNANIMITY.—It is the sense of Congress that, given the national importance of the matters before the Commission, the Commission may not be appointed as a member of the Commission.

(i) TERMS.—A member shall be appointed for the duration of the Commission.

(j) APPOINTMENTS AND FIRST MEETING.—

(1) APPOINTMENTS.—Each member of the Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(2) FIRST MEETING.—The Commission shall hold the first meeting of the Commission on the date, whichever is later, that is not later than 60 days after the date of enactment of this Act; or

(b) 30 days after the date on which funds are made available for the Commission.

(3) ETHICS.—At the first meeting of the Commission, the Commission shall—

(C) the Committee on the Judiciary of the Senate of the same political party as the President;

(D) the Committee on the Judiciary of the House of Representatives of the opposite political party as the President;

(E) the Committee on the Judiciary of the Senate of the opposite political party as the President.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall appoint 6 members appointed by the co-chairperson under subsection (a)(2)—

(i) no fewer than 2 shall be representatives from Federal, State, or local law enforcement agencies, including not less than 1 representative from a rank and file organization; and

(ii) no fewer than 1 shall be a representative from a Tribal law enforcement agency;

(B) OTHER MEMBERS.—Of the 6 members appointed under subsection (a)(4)—

(i) not fewer than 2 shall be representatives from Federal, State, or local law enforcement agencies, including not less than 1 representative from a rank and file organization; and

(ii) no fewer than 1 shall be a representative from a Tribal law enforcement agency.

(3) DISQUALIFICATION.—If an individual possesses a personal financial interest in the discharge of a duty of the Commission, the individual may not be appointed as a member of the Commission.

(4) TERMS.—A member shall be appointed for the duration of the Commission.

(c) APPOINTMENTS AND FIRST MEETING.—

(1) APPOINTMENTS.—Each member of the Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(2) FIRST MEETING.—The Commission shall hold the first meeting of the Commission on the date, whichever is later, that is not later than 60 days after the date of enactment of this Act; or

(B) 30 days after the date on which funds are made available for the Commission.

(3) ETHICS.—At the first meeting of the Commission, the Commission shall—

(A) the Senate and House of Representatives of the same political party as the President;
(A) draft appropriate ethics guidelines for
members and staff of the Commission, in-
cluding guidelines relating to—
(i) conflict of interest; and
(ii) reasonable access to materials,
records, and other information or per-
dian for purposes of conducting business, except
that 2 members of the Commission shall con-
stitute a quorum for purposes of receiving
testimony.
(3) VACANCIES.—
(A) IN GENERAL.—A vacancy in the Com-
mission shall not affect a power of the Com-
mision to which the member whose
appointment was made shall constitute a quorum if—
(i) not fewer than 1 member of the Com-
mision appointed under paragraph (1) or (2) of subsection (a) is present; and
(ii) not fewer than 1 member of the Com-
mision appointed under paragraph (3) or (4) of subsection (a) is present.
(B) ACTIONS OF THE COMMISSION.—
(I) IN GENERAL.—The Commission—
(A) shall, subject to section 706, act by a resolution agreed to by a majority of the members of the Commission voting and present; and
(B) may establish a panel composed of less than the full membership of the Commission for purposes of carrying out a duty of the Commission.
(1) MEETINGS.—The Commission shall meet at the call of—
(A) the co-chairs; or
(B) majority of the members of the Com-
m ission.
(2) QUORUM.—Except as provided in para-
graph (3)(B), a majority of the members of the Commission shall constitute a quorum for purposes of—
(i) carrying out a duty of the Commission;
(ii) making a finding or dete-
rmination of the Commission; and
(iii) carrying out a duty of the Commission.
(3) PERSONNEL AS FEDERAL EMPLOYEES.—
(A) IN GENERAL.—The Executive Director
and any personnel of the Commission who are employees of the Federal Government shall serve without compensation in addition to the compensa-
tion received for the services of the member as an officer or employee of the Federal Gov-
ernment.
(B) TRAVEL EXPENSES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board.
(2) FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall serve without compensation in addition to the compensa-
tion received for the services of the member as an officer or employee of the Federal Gov-
ernment.
(5) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular places of business of the member in the performance of services for the Commission.
(b) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may employ temporary and inter-
mittent services under section 3109(b) of title 5, United States Code.
(c) DETAIL OF GOVERNMENT EMPLOYEES.—
Upon the request of the Commission, a Fed-
eral Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.
(d) OTHER RESOURCES.—
(1) IN GENERAL.—The Commission shall have reasonable access to materials, re-
sources, statistical data, and other informa-
tion such Commission determines to be nec-
essary to carry out its duties from—
(A) the Library of Congress;
(B) the Department of Justice;
(C) the Office of National Drug Control
Policy;
(D) the Department of State; and
(E) other agencies of the executive or legis-
lative branch of the Federal Government.
(2) REQUESTS FOR RESOURCES.—The co-
chairs of the Commission shall make requests for access described in para-
graph (1) in writing when necessary.
(e) VOLUNTEER SERVICES.—Notwith-
standing section 1942 of title 31, United States Code, the Commission—
(1) may—
(A) accept and use the services of an indi-
vidual volunteering to serve without com-
pensation; and
(B) reimburse the individual described in subparagraph (A) for local travel, office sup-
pplies, and for other travel expenses, includ-
ging per diem in lieu of subsistence, as au-
thorized by section 5703 of title 5, United States Code; and
(2) shall consider the Individual described in paragraph (1) in its determinations re-
respect to the performance of those services for the purposes of—
(A) chapter 81 of title 5, United States Code, relating to compensation for work-re-
lated injuries;
(B) chapter 71 of title 38, United States Code, relating to veterans and
(C) chapter 11 of title 18, United States Code, relating to conflicts of interest.
(f) OBTAINING OFFICIAL DATA.—
(1) IN GENERAL.—Except as provided in paragraph (3), the Commission may directly secure from an agency of the United States information necessary to enable the Com-
m ission to carry out this title.
(2) PROCEDURES.—Upon the request of the co-chairs or the Commission, the head of the agency shall furnish any information requested under paragraph (1) to the Com-
m ission.
(3) SENSITIVE INFORMATION.—The Commis-
ion may not have access to sensitive infor-
mation regarding ongoing investigations.
(g) MILLS.—The Commission may use the United States mails in the same manner and
for other purposes as authorized by section 3109(b) of title 5, United States Code, relating to conflicts of interest.
(h) BIENNAAL REPORTS.—The Commission shall submit biennial status reports to Con-
gress regarding—
(1) the use of resources;
(2) salaries; and
(3) all expenditures of appropriated funds.
(k) ADMINISTRATIVE ASSISTANCE.—The Ad-
m inistrative Director of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services nec-
ecessary for the Commission to carry out the responsibilities of the Commission under this title, which may include—
(1) human resource management;
(2) budget;
(3) leasing;
(4) accounting; or
(5) payroll services.
(l) LOCAL AUTHORITY OF FACA AND PUBLIC ACCESS TO MEETINGS AND MINUTES.—
(1) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.
(2) MEETINGS AND MINUTES.—
(A) MEETINGS.—
(1) ADMINISTRATION.—Each meeting of the Commission shall be open to the public, ex-
cept that a meeting or any portion of it may be closed to the public if it concerns matters or information described in section 552(b)(c) of title 5, United States Code.
(ii) INTERESTED INDIVIDUALS.—An inter-
ested individual may—
(I) appear at an open meeting;
(II) present an oral or written statement on the subject matter of the meeting; and
(III) notice. —Each open meeting of the Commission shall be preceded by timely pub-
lic notice in the Federal Register of the time, place, and subject of the meeting.
(B) MINUTES AND PUBLIC ACCESS.—
(i) MINUTES.—Minutes of each open meet-
ing shall be kept and shall contain a record of—
(I) the people present;
(II) a description of the discussion that oc-
curred; and
 multititle shall be for a period determined by the Director.
(c) PRIORITY.—In engaging eligible program participants under section 812, the Director shall give priority to applications from such participants who work for a Federal, State, or local law enforcement agency or organization. If a determination is made, offer any education programming on the history of racism or best practices to improve race relations between law enforcement officers and the communities they serve.

SEC. 816. ANNUAL REPORT.
Not later than February 1 of each year, the Director shall submit to the Congress a report describing the activities carried out under this subtitle.

TITLE IX—BEST PRACTICES AND STUDIES

SEC. 901. BEST PRACTICES.
(a) IN GENERAL.—The National Criminal Justice Commission established under title VIII (referred to in this title as the “Commission”) shall—
(1) develop recommended best practices guidelines to ensure fair and effective policing tactics and procedures that encourage equitable justice, community trust, and law enforcement officer safety;
(2) include the recommended best practices described in paragraph (1) in the recommendations of the Commission required under section 705; and
(3) best practices for developing standards for law enforcement officer due process.
(b) REQUIREMENTS.—The best practices required under subsection (a) shall include—
(1) best practices for the hiring, firing, suspension, and discipline of law enforcement officers;
(2) best practices for community transparency and optimal administration of a law enforcement agency.

SEC. 902. STUDY.
(a) IN GENERAL.—The Commission shall conduct a study on the establishment and operation of use of force review boards by States and units of local government, where in citizens can assist law enforcement agencies in reviewing use of force incidents.
(b) INCLUSION IN COMMISSION RECOMMENDATIONS.—The Commission shall include a report on the study conducted under subsection (a), which shall include recommendations, for best practices in the use and local use of force review boards, as well as best practices for developing standards for law enforcement officer due process, in the report submitted to the Commission required under section 705.

SEC. 903. MENTAL HEALTH STUDY.
(a) IN GENERAL.—The Commission shall conduct a study on law enforcement officer training, crisis intervention teams, co-responders programs, personnel requirements, Federal resources, and pilot programs needed to improve nationwide law enforcement officer engagement on issues related to mental health, homelessness, and addiction.
(b) INCLUSION IN COMMISSION RECOMMENDATIONS.—The Commission shall include a report on the study conducted under subsection (a), which shall include recommendations, in the report submitted to the Commission required under section 705.

SEC. 904. STUDY AND PROPOSAL ON IMPROVING ACCOUNTABILITY FOR DOJ GRANTS.
(a) DEFINITIONS.—In this section—
(1) the term ‘covered grant’ means a grant awarded under a covered grant program; and
(2) the term ‘covered grant program’ means—
(A) the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.);
(B) the “Cops on the Beat” program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (31 U.S.C. 16381 et seq.); and

(c) Direct grant program administered by the Attorney General that provides funds to law enforcement agencies.

(b) STUDY AND PROPOSAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall study, and submit to Congress a proposal regarding, the possible implementation of a method to improve accountability for law enforcement agencies that receive funds from covered grant programs.

(c) CONTENTS.—In carrying out subsection (b), the Attorney General shall develop discrete performance metrics for law enforcement agencies that apply for and receive funds from covered grant programs, the parameters of which shall—

(1) establish benchmarks of progress, measured on a semiannual or annual basis, as appropriate;
(2) require annual accounting by a recipient of a covered grant of the progress made toward each benchmark described in paragraph (1); and
(3) provide that—

(A) the failure to achieve a benchmark described in paragraph (1) shall constitute a violation of the grant agreement; and

(B) if the private sector does not cure a violation by achieving the applicable benchmark not later than 90 days after the date of the violation, the recipient shall return the amounts of the covered grant to the Attorney General.

(c) a law enforcement agency that violates a grant agreement may not apply for a covered grant for a period of 1 year.

TITLE X—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE ACT

SEC. 1001. PROHIBITION ON ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) In General.—Section 2243 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “and” at the end;
(2) in paragraph (6), by striking the period at the end and inserting “; and”;

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

(c) by inserting after paragraph (6) the following:

“(7) the term ‘Federal law enforcement officer’ has the meaning given the term in section 115.”.

SEC. 1002. INCENTIVE FOR STATES.

(a) AUTHORITY TO MAKE GRANTS.—The Attorney General is authorized to make grants to States that have in effect a law that—

(1) makes it a criminal offense for any person acting under color of law of the State to engage in a sexual act as defined in section 2246 of title 18, United States Code, with an individual who has been arrested by, is detained by, or is in custody of any law enforcement officer; and

(b) the individual charged with an offense described in paragraph (1) from asserting the defense.

(c) REPORTING REQUIREMENT.—A State that receives a grant under this section shall submit to the Attorney General, on an annual basis, information on—

(1) the number of reports made to law enforcement agencies in that State regarding persons engaging in a sexual act (as defined in section 2246 of title 18, United States Code) while acting under color of law during the previous year;

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year;

(d) APPLICATION.—A State seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in subsection (a).

(e) GRANT AMOUNT.—The amount of a grant under this section shall be in an amount that is not greater than 10 percent of the average of the total amount of funding of the 3 most recent awards that the State received under these programs.

(f) USES OF FUNDS.—A State that receives a grant under this section may submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(g) LIMIT.—A State may not receive a grant under this section for more than 4 years.

(h) DEFINITION.—For purposes of this section, the term “Sexual assault services program” means—

the STOP Violence Against Women Formula Grant Program”.


(2) require annual accounting by a recipient of a covered grant of the progress made toward each benchmark described in paragraph (1); and

(c) DEFINITION.—Section 2246 of title 18, United States Code, is amended—

SEC. 1003. REPORTS TO CONGRESS.

(a) REPORT BY ATTORNEY GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report containing—

(1) the information required to be reported to the Attorney General under section 1002(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act as defined in paragraph (1); and

(B) the number of persons engaging in such acts as described in paragraph (1) who swore a solemn oath to serve and protect the citizens of the United States.

(b) REPORT BY GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243 of title 18, United States Code, as amended by section 1001, committed during the 1-year period covered by the report.

TITLE XI—EMERGENCY FUNDING

SEC. 1101. EMERGENCY DESIGNATION.

(a) In General.—The amounts provided under this Act, or an amendment made by this Act, are designated as an emergency requirement pursuant to section 9(c) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 9001). The Congress shall be fully informed on all permissible uses of funds under the grant program described in paragraph (2) of subsection (d).

(b) DESIGNATION IN SENATE.—In the Senate, this Act, and the amendments made by this Act, are designated as an emergency requirement pursuant to section 412(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2013.

Mr. STAUBER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER pro tempore. Is there objection to the gentleman from Minnesota?

Mr. STAUBER. Mr. Speaker, I rise today to talk about two stories, two parallel stories that are not conflicting but coexist in our world today.

The first story is that of a police officer in Anytown, USA, the police officer who swore a solemn oath to serve and protect her community and who every day proudly puts on the badge, gets in her car, and goes to her job knowing full well that she may not come home.

She has a family and kids whom she loves: two kids whom she wants to see graduate. She still puts on the law described in subsection (a).
the badge every day because she cares deeply about making her community a better and safer place.

I know this story well from my 23 years as a law enforcement officer. It is a narrative of pride that needs to be known and heard. It is a narrative that deserves the attention and respect that it deserves.

The second story is of a Black teenager also in Anytown, USA, who watched Walter Scott get shot in the street in 2015. Walter was a 50-year-old man who had just left his home to go out for a jog and was not coming back. The police officers who responded to the scene shot Walter multiple times and later found him dead in his car. This story is a narrative of pride that needs to be known and heard. It is a narrative of respect that deserves the attention and respect that it deserves.

These two individuals feel abandoned, they feel left behind by their government, and by sitting in this Chamber today and bringing up a bill that is so partisan that it will go nowhere after its consideration here, the majority is proving that they are not willing to do what is necessary to address these challenges.

Mr. Speaker, I ask that you vote for the officer that their concerns can wait until after election day.

Mr. Speaker, my motion to recommit asks that we consider both stories, both narratives, as the JUSTICE Act, which is the JUSTICE Act, asks that we consider both stories, both narratives, and that we consider them as the JUSTICE Act was the product of Senator Tim Scott’s and my sharing two different stories and finding solutions that inspire real change.

The JUSTICE Act makes the necessary changes that should have been made a long time ago. I know, when it comes to hiring an officer, there is no room for mistakes. This JUSTICE Act improves access to prior disciplinary records, ensuring that officers who continuously act outside of their policies, procedures, and training can never move from department to department.

It emphasizes community-reflective recruitment, ensuring the makeup of police departments more closely resemble the communities that they serve.

It restores investment in community policing. This is a philosophy that you don’t police your community; you police with your community.

It invests in improved police training, with a focus on de-escalation techniques and the duty to intervene. It increases funding for body camera usage, which helps identify bad officers and transparency.

Mr. Speaker, I ask that you vote for this motion to recommit. I ask that you vote for real change, for reforming our law enforcement, for implementing community policing best practices, for more body cameras, for de-escalation training for duty to intervene, and for mental health training.

I ask that you vote for that officer who wants to come home to her kids and for that Black teenager who, today, feels left behind.

At the same time, no one feels divided and our Nation needs healing, let us be the shining city upon the hill. Let us stand together as one Congress and as leaders of this Nation and advance real and much-needed police reform.

Mr. Speaker, vote “yes” on this motion to recommit.

I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I rise today in opposition to the motion to recommit. The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Ms. BASS. Mr. Speaker, there is nothing out under the Sun. The Black people have battled police brutality since policing began in this Nation. But times have changed; our country has changed.

A few years ago, we had to explain that racism still exists despite the election of Barack Obama, twice. Now, 76 percent of Americans consider racism and discrimination a big problem. That is progress.

A few years ago, we had to explain why we say Black lives matter. Now, 67 percent of Americans support the Black Lives Matter movement.

Just a few weeks ago, we had to explain the anger and frustration we saw unfolding in the streets. But, again, 67 percent of registered voters supported the peaceful protest in response to George Floyd’s death.

This is a powerful moment for our Nation, and there is a powerful movement in our Nation, a rainbow movement reflecting the wonderful diversity of our whole world. Protests have taken place in over 60 countries and on every continent. Thousands are marching in the streets screaming, “I can’t breathe.” They are screaming for change, transformative change, change that finally ends police brutality.

The movement is calling us to act. What is your answer?

I will vote for passage of the George Floyd Justice in Policing Act. And today my vote will be dedicated to the parents of George Floyd, who knew his 18th birthday.

Mr. Speaker, I ask my colleagues on both sides of the aisle to oppose this motion to recommit and pass the underlying bill.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), who is my esteemed colleague and friend and the most senior CBC member on the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from California for yielding.

Mr. Speaker, I rise today to ask the question: Where is the party of Lincoln?

Where is the party of Lincoln when the slaves were freed in that moment in 1863?

This Senate bill, the MTR, does not rise to the occasion of those who are in the streets. It fails the moment. It does not require anything. It does not ban, require, or create.

The Senate bill is threadbare and lacking in substance. It does not even contain any mechanism to hold law enforcement officers accountable in court for their misconduct. It does not even contain any means rea, a standard that should be the basis of due process. For too long, it has allowed law enforcement officers to evade criminal liability for excessive force.

It is absolutely imperative that any meaningful policing reform contain accountability. It fails the moment.

Mr. Speaker, I yield to the gentlewoman from California for yielding.

The Senate bill is threadbare and lacking in substance. It does not even contain any mecha-
force? Nothing about banning or racial profiling, nothing to fix the Federal criminal prosecution standards, nothing to roll back unqualified immunity, and nothing on limitations of military hardware and disbursements.

Mr. Speaker, I ask my brothers and sisters: Where is the party of Lincoln? Where is the party of the Constitution that says we create a more perfect union to create justice?

Mr. Speaker, this bill here is the cry of those who have never been heard. It gives us a pathway for success. I am glad to stand with the Congressional Black Caucus and the Justice Department to say that this bill has to pass, the Justice and Policing Act named after George Floyd.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. STAUBER. Mr. Speaker, on that point of order I yield the balance of my time.

The SPEAKER pro tempore. Without objection, the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 7259, which strengthens the U.S. Patent and Trademark Office's awards program for Humanitarian Awards competition by allowing the competition's prize to be transferable to third parties, introduced by my colleague, LUCY McBATH, the Representative from the great State of Georgia.

Mr. Speaker, H.R. 7259 has bipartisan support. As chairman of the Committee on the Judiciary's Intellectual Property Subcommittee, I am proud to co-sponsor this legislation alongside Representative MARTIA RORY, ranking member of the subcommittee, and our subcommittee colleague, Representative BEN CLINE.

Intellectual property and innovation are what help our country flourish. In Congress, we have been committed to ensuring that the intellectual property system incentivizes innovation to the greatest extent possible.

Through its support for the USPTO's Patents For Humanity Program, this bill accomplishes that goal. And I want to read a little bit from the USPTO.gov website about the Patents for Humanity Program.

How do patents help improve lives globally through inspired innovators making a difference? And I will quote here: “Patents for Humanity is the USPTO’s awards program for those using game-changing technology to address global challenges. It provides business incentives for patent holders who find ways to reach underserved communities. These success stories can help others learn how to harness innovation for human progress. All patent holders can participate,” it says.

Since 2012, the program has given 21 awards, not just to big companies, but also small and medium-sized enterprises, startups, universities, and nonprofits. Together, their work has improved millions of lives around the globe. In addition to receiving public recognition of their work, winners will be issued certificates entitled them to expedite select proceedings at the USPTO.

Mr. Speaker, I believe we have a list of some of those winners thus far, and I would love to read those names into the Record.

The Patents for Humanity Program highlights the ways that innovation and intellectual property can help solve global human challenges. Past award recipients have created low-cost phototherapy devices to treat infants with jaundice and distributed chemical packets that removed contaminants from drinking water, to name just a few. Winners receive a certificate that allows them, as I said, to accelerate certain patent matters at the USPTO.

Mr. Speaker, I would read into the record the names of some award winners to you:

The organization, Brooklyn Bridge to Cambodia, Incorporated, won in 2018 for designing a portability device that helps Cambodian farmers improve their crop yields and which minimizes the number of farmers—mostly women—who have to work in the most exhausting and unhealthy conditions.

Also, the firm, Solight Design, won the award in 2018 for designing a portable solar light that has been distributed to over 200,000 people worldwide, including many in refugee camps.

Also, the firm, Sanivation, LLC, for designing a waste processing plant that transforms human waste into sanitary briquettes that replace wood and charcoal for heating and cooking, with four plants serving 10,000 people in Kenya by the end of the year.

And also, in 2018. Because International won the award for distributing 180,000 pairs of reusable shoes in over 95 countries, with local manufacturing taking place in Ethiopia, and plans for Haiti and Kenya.

And there are a number of others that have won this prestigious Patents for Humanity Award. All the way back to 2013, American Standard, SunPower Corporation, Nutriset, Golden Rice, GRiFF Global Research Innovation and Technology. And also Nokero, DuPont Pioneer. And last but not least, Intermark Partners Strategic Management, LLP.

Mr. Speaker, all should be commended for winning this prestigious award and contributing to the betterment of humanity.

Mr. Speaker, under H.R. 7259, award winners will be able to transfer this acceleration certificate to third parties. This will strengthen participation in the Patents for Humanity Program and further encourage the use of innovation and the intellectual property for critical humanitarian purposes.
The USPTO’s program and this legislation reflect our country’s strong commitment to intellectual property and our understanding of the important ways that innovation can do good and solve hard problems.

I am pleased to cosponsor this legislation, which is sponsored, as I said, by my colleague, LUCY MCBATH from Georgia’s Sixth Congressional District. And I am pleased to cosponsor this legislation, and I urge my colleagues to support its passage.

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

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

Mr. Speaker, I thank the chair for his leadership and for being a patron of the bill. And Congresswoman MCBATH, from the Sixth District of Virginia to the Sixth District of Georgia, I want to commend her for her leadership on this important issue.

Mr. Speaker, American technological leadership is critical to the health and competitiveness of our economy and to the well-being of people throughout the world. American researchers and biotechnology companies are currently leading the charge for a COVID-19 vaccine. Patents are a key factor in our technological leadership by providing incentives for innovation.

Since 2012, the Patents for Humanity Program has helped the U.S. patent system encourage such innovation in key areas, such as in medicine, nutrition, and energy.

Mr. Speaker, the chairman eloquently listed several of the past award winners and the description of the acceleration certificate that they have been awarded that encourages them to keep innovating by providing for the acceleration of a patent application’s examination at the PTO.

This bill supports the admirable work of the Patents for Humanity Program, the inventors it promotes, and ensures that transferability of their certificates empowers the inventors who are recognized by this program and grants them greater flexibility by bringing their inventions to market and continue working toward the next great invention.

I am proud to cosponsor this bill and support the inventors powering technological leadership today and in the future. I urge my colleagues to support this bipartisan measure.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield as much time as she may consume to the gentleman from Georgia (Mrs. MCBATH), the sponsor of this legislation.

Mrs. MCBATH. Mr. Speaker, I would like to thank my colleague and good friend from the great Peach State of Georgia, Representative JOHNSON.

Mr. Speaker, in support of my bill, the Patents for Humanity Program Improvement Act. I was pleased to introduce this bipartisan legislation with my Republican colleague, Congressman CLINE. We are also joined in leading the bill by my good friend, Congressman JOHNSON, who is the chair of the House Judiciary Subcommittee on Courts, Intellectual Property, and the Internet, and Congresswoman ROBY of Alabama, long-time ranking member of the subcommittee. I thank each of them for their support and for their leadership.

I am also thankful for the work of Senator PATRICK LEAHY and Senator CHUCK SCHUMER, each former chairs of the Senate Judiciary Committee, who have long championed this legislation in a bipartisan effort in the Senate.

This bill takes two important steps to promote innovation. First, it codifies the Patents for Humanity Program of the U.S. Patent and Trademark Office, a program that recognizes those who are using creative thinking to address our world’s biggest challenges.

Patents for Humanity winners receive acceleration certificates that enable them to get expedited review of their next big idea when they bring it to the USPTO.

The second part of this bill strengthens the Patents for Humanity Program by making those acceleration certificates transferrable. This makes the prize more meaningful to the recipients, whether they are ready to tackle a new challenge or pursue investments that can help them bring their innovation and their invention to those that are in need.

I am so very proud to be able to support the Patents for Humanity Program. It recognizes the achievements of innovators from across the public and private sectors, including startups, established companies, universities and nonprofits.

It is truly important that we uplift those who use their skills to develop technology and ideas that benefit our citizens. The Patents for Humanity Program encourages additional innovations that address humanitarian challenges.

Its passage today is a wonderful example of all of us coming together in a bipartisan manner to help solve problems that impact millions across the globe. And I am proud that we can do our part to expand this program and give innovators more freedom to support one another.

I thank the scientists, researchers, engineers, inventors, and problem-solvers who look for ways that they can improve the lives of others. From curing disease to ending hunger, to raising the quality of life for people across the globe, these innovators are truly doing good work.

I thank them for their efforts, and I urge my colleagues to support them by supporting this legislation.

Mr. CLINE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, again, I want to thank the patron and thank the chairman and ranking member of the subcommittee and the full Judiciary Committee for their work on this bipartisan bill, an important measure which supports the inventors powering American technological leadership today and in the future. I urge its passage.

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

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

Mr. Speaker, H.R. 7259 is a straightforward but important bill that will encourage additional innovations that address humanitarian challenges. I urge my colleagues to support the bill. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 7259.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to recommit on the bill (H.R. 7120) to the House Judiciary Committee, which is sponsored by the gentleman from Minnesota (Mr. STAUBER), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit. The motion to recommit was taken by electronic device, and there were—yeas 180, nays 236, not voting 14, as follows:

[Roll No. 118]

YEAS—180

Abraham  1  Cloude  1  Graves (LA)
Aderholt  1  Cole  1  Gravens (MO)
Allen  1  Collins (GA)  1  Green (TN)
Amodei  1  Comer  1  Griffith
Armstrong  1  Conway  1  G physical
Arrington  1  Cook  1  Guest
Bacon  1  Crawford  1  Guthrie
Baier  1  Crenshaw  1  Hagert
Balderson  1  Davis, Rodney  1  Hartley
Banks  1  Desjardins  1  Hern, Kevin
Berman  1  Diaz-Balart  1  Herren-Beutler
Biggs  1  Dunn  1  Hice (GA)
Bilirakis  1  Deser  1  Higgins (LA)
Burrage (NC)  1  Perez  1  Hill (AL)
Bost  1  Pitstick  1  Hodel
Braun  1  Foxx  1  Hoidal
Braun (AL)  1  Feeservich  1  Hollingsworth
Brooks (IN)  1  Flores  1  Homan
Buchanan  1  Forests  1  Homan
Buhler  1  Foxx (NC)  1  Homan
Burchett  1  Maloney  1  Homan
Burgess  1  Manchin  1  Homan
Byrne  1  Massachusetts  1  Homan
Calvert  1  Dominguez (OH)  1  Homan
Carter (GA)  1  Joyce (OH)  1  Joyce (PA)
Chabot  1  Gooden  1  Katko
Cheney  1  Gosar  1  Kely (MS)
Cline  1  Granger  1  Kely (PA)
Clidy  1  Graves (GA)  1  King (NY)

NAYS—236

Abraham  1  Cloud  1  Graves (LA)
Aderholt  1  Cole  1  Gravens (MO)
Allen  1  Collins (GA)  1  Green (TN)
Amodei  1  Comer  1  Griffith
Armstrong  1  Conway  1  G physical
Arrington  1  Cook  1  Guest
Bacon  1  Crawford  1  Guthrie
Baier  1  Crenshaw  1  Hagert
Balderson  1  Davis, Rodney  1  Hartley
Banks  1  Desjardins  1  Hern, Kevin
Berman  1  Diaz-Balart  1  Herren-Beutler
Biggs  1  Dunn  1  Hice (GA)
Bilirakis  1  Deser  1  Higgins (LA)
Burrage (NC)  1  Perez  1  Hill (AL)
Bost  1  Pitstick  1  Hodel
Braun  1  Foxx  1  Hoidal
Braun (AL)  1  Feeservich  1  Hollingsworth
Brooks (IN)  1  Flores  1  Homan
Buchanan  1  Forests  1  Homan
Buhler  1  Foxx (NC)  1  Homan
Burchett  1  Maloney  1  Homan
Burgess  1  Manchin  1  Homan
Byrne  1  Massachusetts  1  Homan
Calvert  1  Dominguez (OH)  1  Homan
Carter (GA)  1  Joyce (OH)  1  Joyce (PA)
Chabot  1  Gooden  1  Katko
Cheney  1  Gosar  1  Kely (MS)
Cline  1  Granger  1  Kely (PA)
Clidy  1  Graves (GA)  1  King (NY)

H2504  CONGRESSIONAL RECORD — HOUSE  June 25, 2020
MESSRS. COURTNEY, CARRIE of Illinois, SWALWELL of California, Mrs. TRAHAN, Mr. NORCROSS, MS. SLOTKIN. Messrs. HIGGINS of New York, RASKIN, ROSE of New York, and Ms. TLAIB changed their vote from ‘yea’ to ‘nay.’

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOUDERMILK. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted ‘yea’ on rollcall No. 118 and ‘nay’ on rollcall No. 116.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. BASS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 181, not voting 14, as follows:

[Roll No. 119]

YEAS—236

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Armstrong
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Baker (TX)
Baker (UT)
Baker (WI)
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PERMISSION TO INCLUDE AMENDMENT TEXT IMMEDIATELY PRIOR TO VOTE ON PREVIOUS QUESTION ON HOUSE RESOLUTION 1017

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that I be permitted to insert the text of the amendment I would have offered had the House rejected the previous question on House Resolution 1017, along with extraneous material, into the CONGRESSIONAL RECORD immediately prior to the vote on ordering the previous question on House Resolution 1017.

The SPEAKER pro tempore (Mr. CUNNINGHAM). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PREATORY LENDING

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise in strong support of Chairwoman WATERS' resolution disapproving of President Trump's efforts to gut the Community Reinvestment Act, and I salute her for her leadership to support the financially underserved communities across our Nation.

The administration's immoral rule change would roll back critical financial protections at a time when millions of Americans are facing down dire COVID–19 crises.

Fair credit for all has always been an elusive goal for our Nation. Predatory lending is a plague in countless American communities, many of which are comprised of minorities or low-income residents.

The Community Reinvestment Act says your money belongs to you, not to any loan shark, predatory lender, fast buck artist, or financial institution sucking the wealth out of your neighborhood.

We must not only strengthen the CRA, but also increase the reach of credit unions and build out postal banking platforms to extend critical financial lifelines and fair credit to those who need it most.

Mr. Speaker, I urge swift passage of this critical legislation, and I urge my colleagues to support it.

□ 2045

IN RECOGNITION OF DR. RUTUL DALAL

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

Mr. KELLER. Mr. Speaker, as Pennsylvanias 12th Congressional District continues to emerge from the COVID–19 virus pandemic, we can recognize the people in our community that have played a uniquely outstanding role in this unprecedented time.

Today, I recognize the work of Dr. Rutul Dalal, the head of the infectious diseases unit at UPMC Williamsport. In the early days of the pandemic, Dr. Dalal, along with the administration of UPMC Williamsport, provided a critical voice of reason, calm, and thoughtfulness in reassuring our community of local health providers’ ability to deal with COVID–19.

Dr. Dalal was a participant in a rural health roundtable our team held in March that discussed COVID–19 testing capabilities, surge capacity, and what government can do to ensure the medical community has the tools it needs.

Dr. Dalal later joined me for a telephone townhall on COVID–19, where he spoke to over 10,000 residents in Central and Northeastern Pennsylvania about how to protect themselves in the pandemic and answered their questions. Throughout the pandemic, Dr. Dalal has spoken with many area lawmakers, community leaders, and others, while maintaining his hospital responsibilities on the front lines of fighting this terrible virus.

For his work, professionalism, and expertise, Dr. Dalal is truly a PA–12 COVID–19 hero.

PROTECTION OF CIVIL AND HUMAN RIGHTS

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

Mr. SARBANES. Mr. Speaker, for too long, we have not had the courage as a Nation to say, “Black lives matter.” Well, now it is a new day. Anguished and outraged by the killings of Ahmaud Arbery, Breonna Taylor, George Floyd, and so many others whose families have been left grieving, we are finally beginning to speak truth and take action.

These killings have left us despondent and deeply angry that America cannot rid itself of the disease of racism, and violence, and the prosecutors, too, often inflict pain on the very communities they are charged with serving. But we are also determined—determined not to let this moment pass without an uncompromising demand for justice on behalf of the victims’ families and on behalf of a Nation in search of its soul.

For the sake of our future, we must overcome this legacy of violence and ensure that the civil and human rights of every person in our country are protected.

Mr. Speaker, I am proud to support the George Floyd Justice in Policing Act of 2020.

A PARTISAN BILL TO NOWHERE

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

Mr. MEUSER. Mr. Speaker, what started as a tragedy, then turned disturbingly into our streets, resulted

□ 2039

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. EMMER. Madam Speaker, on June 25th, I was unable to be present in the House Chamber to cast my vote on several pieces of legislation. If present, I would have voted NAY on Roll Call No. 116 (RC 116), NAY on H. Res. 1017 (RC 117), YEA on the Motion to Reconsider (RC 118), and NAY on H.R. 7120 (RC 119).

PERSONAL EXPLANATION

Mr. BABIN. Madam Speaker, had I been present, I would have voted NO on Roll Call No. 116 (PQ on H. Res. 1017); NO on Roll Call No. 117 (Adoption of the Combined Rule for H. Res. 1017); YES on Roll Call No. 118 (MTR on H.R. 7120—George Floyd Justice in Policing Act); and NO on Roll Call No. 119 (Final Passage of H.R. 7120—George Floyd Justice in Policing Act).
with tonight's vote with a partisan bill to nowhere.

The people we have been elected to serve have asked—in fact, demanded—that this Congress do something to calm the unrest in our communities. Congruent to lead, instead, this House has decided to bring forth another partisan bill to nowhere. Senator Tim Scott and others worked tirelessly in an inclusionary manner to draft the JUSTICE Act, a bill that would bring law and order and justice to communities.

This bill will not become law. This bill that has been passed in the House will not become law because it was not inclusive and would not reform the police. But by eliminating qualified immunity and no-knock warrants, it would put people and police into dangerous and costly scenarios.

Mr. Speaker, this bill is another lost opportunity to serve the people we serve.

TESTING SITES NEEDED TO SAVE LIVES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I say to my community in Houston that I know that they are celebrating the idea that the George Floyd Justice in Policing Act has passed. I look forward to going home and engaging with them and indicating that we are re-imagining police and that we are building on police-community relations.

I also make mention of the fact that as I left Houston, the State of Texas had 5,000 new COVID-19 cases. Today, we have counted 900 cases in the Houston, Harris County area. People are dying. People are being tested positive, and we need help.

Mr. Speaker, it is important that we pass the HEROES Act, but more importantly, that we keep our testing open. On Saturday, I will open another one-day testing abuse on the 11th, working with local health professionals. The city of Houston and Harris County need our help, and we must continue these testing sites. We must keep them open. I encourage everyone in Houston, get tested. If you are positive, give us your blood for antibodies after you have cured. But more importantly, wear your mask, wash your hands, and socially distance. We have to save lives.

WILKES COMMUNITY COLLEGE

(Ms. FOXX of North Carolina asked and was given permission to address the House for 1 minute.)

Ms. FOXX of North Carolina. Mr. Speaker, over the past few months, we have seen remarkable progress in the fight against COVID-19. Our small businesses, manufacturers, and even schools have stepped up to produce necessary PPE for their communities and frontline providers.

As of last month, Wilkes Community College Ashe Campus—located in my district—delivered over 741 3D-printed face shields to various locations in the High Country. Originally, this 3D printing endeavor was going to support Ashe Memorial Hospital, but now it has turned into a regional resource for providers across western North Carolina.

To Mike Windish and Chris Kearley—the two engineering instructors at Wilkes Community College—and their colleagues who are spearheading this effort, thank you, and keep up the good work.

HOPE FOR THE FUTURE OF BLACK BOYS AND GIRLS

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE, Mr. Chair, today, I am so hopeful after the vote for the George Floyd Justice in Policing Act, I can now look at those little children, those little Black boys when they say, “Am I safe?” “Does anyone care about my future?”

Mr. Speaker, I am so proud that this was a bipartisan bill. I strongly encourage the Senate to come to the table and let's all work to ensure that the future of America is one that is inclusive: that is one Nation under God, indivisible, with liberty and justice for all.

FROM AGONY TO ACTION

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY, Mr. Speaker, I stand here today on the United States House floor to say thank you to my colleagues who voted for House bill 7120, Justice in Policing Act 2020. Tomorrow, I go back home to the Third Congressional District, and I say to them, “This is what we did for you.”

Mr. Speaker, it was worth me marching. It was worth me kneeling for 8 minutes and 46 seconds so many times in my district. And now, today, I can say that I was Speaker pro tem when this bill came to the floor. It sends a great message home to my district. It tells them if we can do this at the Federal level, then we can do this at the State, the county, and the city level.

Mr. Speaker, it is my honor to stand here and say: From agony to action.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, it is my honor to yield to the gentlewoman from North Carolina (Ms. FOXX), my friend.

JUSTICE ACT

Ms. FOXX of North Carolina. Mr. Speaker, I thank the gentleman from Texas (Mr. GOHMERT), my colleague and my classmate, for yielding time to me this evening.

Mr. Speaker, at such a pivotal moment in the history of our country, Democrats are choosing posturing over progress. Yesterday, Senate Democrats blocked consideration of the JUSTICE Act, and claimed it did not go far enough to address their issues with regards to police reform.

One of the most puzzling pieces to this theory that Senator Scott offered to increase the allotment of amendments on the bill, Senate Democrats turned around and walked out of the room. They had the opportunity to work in the spirit of bipartisanship, but they ignored it. Are they genuinely afraid of bipartisan collaboration, or are they more focused on scoring political points with their own base? You be the judge.

Mr. Speaker, over the past few weeks, we have heard dangerous rhetoric from the Democratic leadership: the defunding of law enforcement, and it is downright concerning. The men and women of law enforcement lay down their lives every day in the line of duty.

And this course of action that Democrat leadership champion is as an affront to health, safety, and security of our communities. Law and order are fundamental tenets of a free society, but when anarchy is assigned a higher value than protecting the American people, the lines become blurred and discord will prevail.

Mr. Speaker, I would be remiss if I did not address imprudent comments made on Tuesday by the Speaker of the House. She asserted that Republicans are trying to get away with the murder of George Floyd. Let her words sink in for a moment.

Two weeks ago, Democrat leadership called passing police reform “a life-or-death situation.” But now that we have introduced legislation that addresses this issue, they have changed their tune entirely.

Republicans stand at the ready to deliver this reform while Speaker Pelosi is looking for the next media sound bite. Her rhetoric is nothing short of disgraceful. Instead of sowing seeds of division and resorting to crafting legislation behind closed doors, it is time that she and our colleagues across the aisle come to the table to work alongside of us. Maybe it is too daunting of a task for them. For winning bipartisan in favor of a my-way-or-the-highway approach will not move us closer to enacting meaningful police reform.

Mr. Speaker, we are ready to work with our Democrat colleagues, and all they need to do is pull a seat up to the table and join us.

Mr. GOHMERT. Mr. Speaker, I am proud to call VIRGINIA FOXX my classmate. We have been through a lot together, but nothing like what is currently going on in this country right now. Extraordinary.

And we are hearing from people back home and from those who are not from
my district that have called my office—or called my wife's phone—and left nasty, vicious messages about our children. People who saw the subterfuge going on in the Committee on the Judiciary yesterday, they need to understand, back when I became a district judge in Texas, they played to win, they played to lose, they played for felony, criminal cases—up to and including death penalty cases—I tried a lot of cases, a lot of different courts, Federal, State. And from time to time, you would see judges who were being, you know, they played by their own set of rules, by using and flaunting my authority, and in our biggest cities where the biggest problems are occurring, and Black lives that matter are being shot in record numbers, as they were in Chicago, and instead of using our system to address the problems that have arisen, we have statements like this, this headline from a Black Lives Matter leader: "If this country doesn't give us what we want, then we will burn down this system."

Well, this system has had millions of Americans suffer and over a million die in the service of our country so that we would have the freedoms we do. One thing is very clear: This country is an anomaly. You know, Jesus said, you remember, they are going to hate you; they hated me first. We were told you will suffer for Christ's sake.

This was a country where you didn't suffer for being a Christian. That is an incredible bubble in time and in space in the history of the world. This is an unusual country.

As Alexis de Tocqueville pointed out about the churches and the amazing—yes, there are other religions, and we respect what those, as long as they are peaceful and don't want to tear down the system or burn down the system.

But de Tocqueville pointed out that this country has adopted Christian principles throughout their government. They are more at play in what is happening in America than anywhere else.

That is paraphrased. I don't have his quotes, but there are many of them. Some of them that he was given credit for saying he didn't say. But he certainly observed that.

But this little anomaly of self-government in time and space is in grave risk. Anybody that has studied world history understands that. There are people all over the country we have heard from that understand that.

So when people are allowed, even without burning down the system, to burn down minority communities, burn down other people's property, destroy businesses, tear down statues that reflect history, good and bad, without going through the system right way, the peaceful way, the way available, they are already figuratively burning down this system.

You want a statue removed or you want a name changed, you do what they are doing in Tyler, Texas, where they have petitioned, as I understand it, the school board. I am not sure if they have taken action yet. But that is the way you do it.

You go make your case.

If you don't like what is going on, then you simply run for office and replace those people who are not doing what you believe is the right thing. That is the way it goes; that is the way it is supposed to go; and that is the way people who want to destroy America are not doing it.

If there is an offensive statue, go get it changed, but we might want you to pay for replacing that with something else. Those who refuse to learn from history, as we know, are destined to repeat it. It is good to talk about people who made big mistakes in our history instead of doing like the Marxist leaders of the crime wave across the country are trying to do.

Now, there are some who aren't Marxists, and they don't know they are being used by Marxists. But the things that are going on are right out of the Marxist playbook.

It was seen in 1917 in and around what became the Soviet Union. It was seen by Chavez in Venezuela. It has been seen in many places. It was seen by the Chinese under Mao.

Hitler was a monster. And his murder of and the attempted genocide of the Jewish people should never be forgotten. But some people are denying it even happened. It did happen.

So you have two basically totalitarian socialist forms of government. And I know my friend, my colleague—he probably wouldn't call me his friend—as chairman of the Judiciary Committee immediately reacts when you mention that the fascists were really socialists. It was the National Socialist Workers Party in Germany. That is what the Nazis were.

They believed in the same kind of totalitarian socialist forms of government. And Soviet believers believed in, and they created in the Soviet Union with their communist government and in China with their communist government what so many want to drive us to right now. They killed more people than any form of government in the history of the world.

Now, 20 million is only the estimate of what Stalin starved to death in Ukraine when there was actually plenty of food, but he intentionally starved them to death. Mao, there was probably 60 million, depending on whom you believe, that he killed, determined to make the country better.

But some people are denying it. If you look at how many people the coronavirus has killed, which came from China—you can give them credit for killing millions more, I am sure, before this is all over. Although we do have some in the U.S. Government that have an interest—maybe it is pecuniary, some kind of interest—in defending China and condemning the United States. It kind of tells you where their heart is.

This country, as Ron Maxwell said some years back, from its beginning, it has been about liberation. We have George Washington over there. People are trying to tear down his statues. When you travel the world, people know the good about that man more so than American students do anymore because the Bill Ayers of the country, the terrorists of their day—terrorists in another way now—who in the past realized blowing things up, sit-ins, riots were not getting it done, so they went into our colleges and universities, many of them, and began to
teach their socialist/Marxist ideas that have never worked and have led to more death and suffering than any other type of government.

But they have taught them this is the way to go. Many millennials have bought into that because they don’t know what else is going on. This is something that is going on as we speak.

As I have talked to parliamentarians, members of parliament in Europe, members of government in other parts of the world, including Australia—and there are things about America that bug them. Some think we are too arrogant.

But when it comes down to it, wise people in other countries that have freedom at this time, they know if the United States’ freedom is destroyed by Marxists or anybody else, there will be no other safe place in the world that Americans can go to find the freedom that is at risk right now. If America’s freedom goes down, there is no other place to go.

I love Ronald Reagan. I love the words he said that no generation has ever lost freedom ever got it back in the same generation. I am telling you, if we don’t stop the insurrection that is being allowed to occur under liberal mayors, liberal governors, then we are going to lose the country. And Donald Trump is determined not to let that happen.

But under our Constitution, there are some places if the mayor or the Governor won’t request help, the President is going to have difficulty getting it there to protect things. That is just the way it is.

There are consequences to electing feeble leaders who are afraid to do what needs to be done to protect this greatest bastion of freedom that has ever existed.

As I said earlier, this has been a history of our country of liberation. Slavery should never have been allowed to get started here. But this country, despite the liberal garbage that is out there, it was not founded on the basis of slavery.

If you look at Thomas Jefferson’s original words in the original Declaration of Independence, his first draft, he knew slavery was bad and destructive to this country. Perhaps it is the longest grievance against King George—if it is not the longest, one of the longest. He lays at the feet of King George of England the horrible thing that was going on in America, the atrocity called slavery.

King George should never have allowed that to get started here, to be legal here, but it was. People in Virginia at the time were not supposed to free their slaves. George Washington, he knew it was wrong as well. In his will, he freed all the slaves upon his wife’s death.

Now, there are some things that don’t make sense to some of us here and now because we weren’t living in that day. But the thing that we can be absolutely certain about is that no human being—only one—has ever been perfect. Anything that involves humans is going to be imperfect.

Again, our history has been one of setting freedom as the goal, recognizing that freedom is a gift of God. But like any inheritance, if you don’t fight for it, you are not going to have it.

Slavery, we had a revolution after the first great awakening, the great Christian awakening in the 1700s, followed by the Revolution, the pursuit of freedom from a common freedom of choice. The second great awakening in the 1800s was followed by a horrendous civil war. What Lincoln said, the words are inscribed on the inside of the north wall of the Lincoln Memorial, and you can tell he is trying to get a grip on this. He knows there is a God. He believes at that time in God. Steve Mansfield has a great book documenting Lincoln’s days from his early 20s when he bragged about being an infidel, not believing in God. He was elected President. He knew a guy like him could never have gotten elected President unless there was a God that allowed it to be.

But in that second inaugural speech, I think it was about a month before he was assassinated, you can find it toward the middle of the speech, it is inscribed there. He is trying to work through how this horrible war could occur when there is a good and just God. He works through it, and he understands and quotes scripture in like three places in that part.

But he says: Needs be that offenses come, but woe be to the person by whom the offense cometh. That offense he was talking about was slavery. He knew it was an atrocity. He wanted to end it.

He talks about, though, both the North and South read the same Bible. Both pray to the same God. The prayers of neither have been fully answered. But then he goes on to point out that if it be God’s will that every drop of blood drawn by the lash is going to have to be drawn by the sword, then we still have to say, as he said, what was said 3,000 years ago: The judgments of the Lord are true and righteous all together.

Mr. Speaker, I am joined by friends here on the floor. My friend, the chairman of the Committee, he is a freedom lover. Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS, Mr. Speaker, I thank the gentleman, and I appreciate his staunch and relentless pursuit of freedom in his work on liberty and this tremendous country.

I am going to take a few minutes and talk about some things that are going on in the country today that I think need to be addressed. As we ruminate upon these things and consider the direction of this Nation, I feel like I need to, quite frankly, express my gratitude to that thin blue line that spends so much time working, training, making sacrifices on our behalf, the men and women of the police agencies, local, State, and Federal.

Every day that they put on that uniform, every shift that they put on that uniform, at any time day or night, and they have to be ready to go, they could be called upon to sacrifice the full measure of who they are on our behalf, and I thank them.

In fact, I was recently talking to a friend of mine who is a police officer, and he expressed to me his concerns because what we are seeing is inexplicable, inexplicable to the rational mind. We understand protests. We appreciate protests. The First Amendment guarantees us that right. We get to stand up. We get to express our disapproval of our government.

In fact, I think back to Thomas Jefferson, and he was asked one time why he refused to take action against a particular individual who slandered him repeatedly. He said: You know what? My friends know the truth and believe me; my enemies will never believe me; and this individual can say what they want to say.

We believe that to be true. So we understand protests. What we don’t understand so much is when it becomes lawless rioting where you imperil somebody’s right to life, liberty, or the pursuit of happiness. That is the problem that we are going through today.

So I give my gratitude to the men and women of our police agencies. You may be wearing blue, you may be wearing green like the Border Patrol, but you all sacrifice for us to have our freedoms.

I want to talk briefly now, if it is okay with my host, about the bill that was passed out of the House earlier this evening. I have the privilege of serving with the gentleman from Texas on the Judiciary Committee, and one of the statues or monuments was to be dragged down tonight. They have rescheduled the spontaneous tear-down for tomorrow. We will see how that goes for them.

The point is, we recognize that we have God-given freedoms. We set many of those forth in the Constitution of the United States, and we have spent 200-some-odd years trying to defend those trying to move toward a more perfect union.

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The implication by many in that committee was that by merely offering an amendment to that bill, we were racing. That was the implication of what they said. It is unfortunate they because nothing could be further from the truth. We were trying to get to some very important changes in that
bill, which would make it a viable bill, would make it work, perhaps.

But one of the things I find most intriguing is the elimination completely of qualified limited immunity, and I will tell you why. We grant qualified limited immunity to many who work in government. We do that because they are asked to do a hard job, and they won’t be able to do that job without taking some personal risks.

But the elimination of qualified limited immunity means that not only will those who are criminally reckless or criminally culpable but those who are merely negligent or even those who follow the procedures to the letter who don’t violate a constitutional right, who don’t violate a law, will be exposed. Not just them, but all of their finances will be subject to garnishment, execution. Houses can be lost, their families left in ruin and desolation.

So if other people were trying to offer amendments to actually provide reforms that we thought would be good and necessary, yet provide some protections, we were rebuffed and told that our attention was nonsensical, but the other hand, if we would just grant them passage of the bill, maybe they would allow us to amend it later.

Well, of course, we couldn’t stop the passage of the bill. We are a majoritarian body. But here is what this means. If you are a police officer with 19 years in, you know what that means for you? That means you are sitting in your car when somebody needs help. You get out and risk your family and everything you have worked for, for 19 years, on a potential liability?

Now, there will be those that make this sacrifice because that is the kind of people we are. We are the kind of people that will go to the aid of those in need, but you put them at such a serious risk, they have to make an almost risk-reward calculation every time they encounter a situation that would call for police contact.

So, this is what happens. There will be many younger on who will do the same. Others 5 years in, they will say: You know what? I am going to change careers. I can go somewhere else where I don’t expose my family.

What this ultimately means is more vacancies in the big cities. In my State, the big cities have hundreds of police vacancies. You won’t fill them because you can’t recruit. You can’t recruit the right train. You can’t train, you can’t retain.

You are going to have seriously decimated police forces, certainly, in the big cities. One of our colleagues, he said: Oh, the police should just go get E&O insurance like lawyers and doctors. Not really viable.

They said, well, the department will remain liable. Well, so will the individual. But if you have joint and several liability and it comes back to the department, and you have a department with five officers in it, they can’t afford E&O insurance, nor can they afford to take care of this situation.

Mr. YOHO. Mr. Speaker, I thank the kind gentleman from Texas for yielding. And it was easier dealing with the south end than the north end of the horse, and the stuff that comes out was easier to wash off.

I am sure I am like you. I get a lot of people who call me, especially in the last week. Here is a message a good friend of mine sent.

My 85-year old mother, who is always very calm and nice, last night looked at me and said: You need to call your Congressman. You need to call him and ask him what we can do. We have to do something to stop these “idiots” for tearing down statues and burning the flag. Patty, his wife, jumped and said: Yeah, what can we do? I was at a loss for words. What can we do? Just spinning a little bit.

My response to him was these people will be arrested. They will be charged, and they will have to pay the fines for damaging that property.

And being a Christian, as I know you are, Louie, this, too, shall pass. We have to have the faith that this country will live beyond us.

And, I have had the privilege of being chairman of the Asia Pacific Subcommittee last Congress, and I am the ranking member this Congress, which means you are the lead Republican. And we have dealt with the Asia Pacific theater.

We have dealt with Hong Kong, and we all know Hong Kong is a province of China. There was an agreement in 1997, for 50 years Hong Kong was supposed to be ruled as a semiautonomous region and an independent judiciary. Well, 23 years into that, Xi Jinping has said, as far as he is concerned, that is null and void.

So they are basically putting Chinese Communist Party rules in Hong Kong, and so the students are rioting—not just the students, 25 percent of the population from baby brothers and dads to grandparents. Twenty-five percent, 2 million people are out in the streets.

Do you know why? Because they have had liberty and freedom. That is the only thing they have ever known. The Chinese Communist Party cannot tolerate liberty and freedom because it scares them.

And so these people have a very strong need to protest, but they don’t have the ability to protest, because, if you protest over there, you are going to prison, you are being picked up.

I mean, we are going to have a hearing next week, and we are hearing how the police picked these people up and the things that they do to them, and some of these people never will be heard from again.

Yet, in our country, we are so blessed with the liberties and freedoms that I wonder sometimes, and I know, myself, I am guilty of this, sometimes I take these liberties and freedoms for granted. But I tell you what, at times like this, this is not a time to take these for granted. We need to thank every
As my friend from Florida was pointing out, and I want to read, I think, puts things very much in perspective. As I was in the Maldive Islands some years back with a few other Members of Congress. It is a beautiful little island south of India in the Indian Ocean, and one of their leaders sitting by me during our lunch, he said: We are a relatively new democracy. He said: We are always hearing rumors about military coups.

And then he paused and he said: We never had a George Washington to set the proper example. On the other side of the world, 180 degrees from here, this little island, they know how important what George Washington did, how important that was.

It was wrong to have slaves. Slavery was wrong.

Thank God for William Wilberforce, for people like John Quincy Adams and Daniel Webster that fought so hard to bring an end to slavery.

It tells you how people, they are not about freedom. They are about Marxist, Leninist, the most murderous form of government in the entire history of the world.

I am joined by a friend, and I sure don't want to hurt him, but I just love this brother, and he happens to represent an area in southern Texas, and that is Mr. CHIP ROY, one of the most principled people I have ever met.

Mr. Speaker, I yield to the gentleman from Texas (Mr. Roy).

Mr. ROY. Mr. Speaker, I appreciate my friend from Texas and for those kind remarks. I appreciate how much he has dedicated to spending time on the floor of the House of Representatives, which is what we should be doing as members of this body. He does it and he does it often, and then he includes others in it.

I just wish we had more. I just wish we had debate. I wish we had amendments. But we don't.

And we shouldn't kid ourselves. For whoever watches this C-SPAN clip or whoever is watching it right now, the fact of the matter is, this institution known as Congress is badly broken. We don't have vigorous debate, neither in this body nor on the other side of this Capitol in the United States Senate.

The Senate, where I worked as a staffer for a number of years, I can remember having bills where we would have 30, 40, 50, 60 amendments, and debate back and forth, and offer them and vote on them, and at the end of that, then decide whether we support that legislation or not. We don't do that anymore.

We get a bill, like today, brought to the floor of the House of Representatives by the majority, and we are told that is the vote.

The same thing in the Senate. We have a bill that is brought to the floor

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For those rioters out there, a military coup is when the military tries to take over the government from a civilian government, and he said there are a lot of these rumors.

And then he paused and he said: We never had a George Washington to set the proper example. On the other side of the world, 180 degrees from here, this little island, they know how important what George Washington did, how important that was.

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The same thing in the Senate. We have a bill that is brought to the floor
of the Senate, and the author of the bill, Senator Scott, offers 20 amendments to the other side, including a manager’s package, and it is rejected out of hand, no debate, no discussion on amendments.

And the American people are sitting at home, so what is going on? Why won’t this institution—its Congress—do anything?

Right now, we have three, maybe four Members of the United States Congress in this room.

Tomorrow, we will have a couple of votes, and then we will fly home. And what will we have accomplished this week while our Nation is struggling with statues being toppled, people being killed, and here we sit?

What is everybody in this body doing right now? Are they out having dinner? Are they out having a drink? Are they home asleep?

But right now, just this last weekend, we had 104 shootings in Chicago. 14 were killed, several teenagers. A 3-year-old boy was killed this weekend.

There is a 325 percent increase year over year of shootings in New York City. We had a gentleman who was washing his car’s tire, had somebody come right behind him and shoot him in the head on the streets of New York City.

We have gone a long ways away from the kind of law and order, rule of law that is married to liberty that has made this country great for so long.

It is incumbent upon this body and this institution to do our job. It is incumbent upon us to stand up for the rule of law so that liberty can prosper, so that we secure the blessings of liberty as the Constitution outlines as our responsibility.

I have no idea what it is like to be a Black American and I will never know what it is like to be a Black American. I can only imagine. I can only talk to people.

I do know what it is like to be a law enforcement person, because my grandfather was the chief of police of a small west Texas town. I worked as an assistant United States Attorney. I worked in law enforcement in the U.S. Attorney’s Office.

Of the 76 million interactions that we have between law enforcement and citizens in this country every year—or at least last year there were 76 million—body of about a billion, 3,000 interactions that said 99 percent of those didn’t result in taking anybody into custody; and of that remaining 1 percent, 98 percent of those resulted in no force that resulted in any kind of injury or anything significant. Well, of that 76 million, that leaves you about 15,000.

Now, you dive into that, and there are some egregious wrongs. And we and everybody in this body want to deal with those wrongs, but today we didn’t debate any of those serious issues about what we can do.

We had a bill brought to the floor that literally wipes clean qualified immunity for our law enforcement officers, just gets rid of it. So after 50-something years of operating under this, this bill would just, boom, get rid of it without so much as a real debate.

Why didn’t we offer an amendment, for example, that would have returned to the 2009 standard before the court changed it to say, You know what? Maybe we should adjudicate every constitutional claim alongside a claim of qualified immunity. Because the court just made that up in 2009.

Because you know what about qualified immunity? It is all made up by courts, because this body doesn’t do its job, this body doesn’t speak, because this body doesn’t ever sit down and do our job and offer amendments and debate and vote. The legislature should speak on these issues.

Why didn’t we talk about no-knock warrants? Why didn’t we offer an amendment?

We can debate, vote on it, vote it up or down, and then move on. This is what this body is supposed to do. It is what is so frustrating.

Mr. GOHMERT. Mr. Speaker, I don’t want anybody listening to think when the gentleman asks why didn’t we offer amendments that we had the opportunity to do that. The majority determined there would be no amendments allowed.

I know my friend from Texas and I were talking earlier today about, you know, we could have voted for a bill that included some things that were in the Democrats’ bill, but they would not allow any amendments. We didn’t want to make amendments down there.

The qualified immunity, where law enforcement officers were going to get sued, every arrest they ever make, most likely they were going to end up spending more time in civil court than in enforcing the law, we needed to work those things out. But there were no amendments made, because the majority said, We don’t need your input. This was figuratively what they said: We don’t need your input. We don’t want your input. We can pass it by ourselves.

They stopped Tim Scott’s bill. He was open to having amendments. They didn’t want to make amendments down there.

They want a symbol. And there is nothing that symbolizes that aspect that they want a symbol and not a real fix more than their adding the watered down Emmett Till bill into this law enforcement bill, which is an embarrassment to say that ever sit down and do our job and offer amendments in the broccoli law and to defend law enforcement.

Mr. ROY. Mr. Speaker, the gentleman is exactly right with respect to who is calling the shots and how we are operating. And we did want to offer amendments, and we would.

I think, in all honesty, it is a bipartisan problem in both the Senate and the House that we need to figure out how to get back to any kind of regular order so that we can actually debate and amend.

So I will just close with this, because the gentleman has been kind, and he has reserved the time. I will say that as we look at our country right now, that we need a good dose of hard work by the people that have been elected to represent it. And we are not doing that. It is just plain and simple. We are not doing our job here to represent the American people, to come here, debate, vote.

We are not doing our job right now to stand up for America and to defend its institutions and to defend the rule of law and to defend law enforcement while figuring out how to hoist people accountable to make sure that liberty and justice is protected.

We are not doing our job to protect churches, we are not doing our job to protect our monuments, and we are not doing our job to push back on mob rule.

Mr. Speaker, I thank the gentleman for giving me the time to join him. And may we all work together to preserve this great republic and secure the blessings of liberty.

Mr. GOHMERT. Mr. Speaker, I thank my friend for being here tonight.

I know he was asking rhetorical questions. And for those involved in the riots, let me explain: “Rhetorical” means it is not looking for an answer back.

When he said we weren’t making amendments or we didn’t do this or that, we weren’t doing our job, I know for a fact that that was rhetorical, because the gentleman represents San Antonio and so much of south Texas deserves everything he can to make a difference.

We can work together if we are allowed and if the rules don’t continue to be abused the way they have been.

We do need good, trustworthy law enforcement. I think Bill Barr is doing everything he can, but we need a different FBI director. I don’t think we are going to get much help there as long as Christopher Wray is there. He is too interested in trying to say the FBI is all well now, when it is not.

But nonetheless, I hope we can work together. The country is suffering because we are not allowed to participate.

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

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 967, the House stands adjourned until 9 a.m. tomorrow.

Thereupon, (at 9 o’clock and 55 minutes p.m.), under its previous order, the
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4569. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — TRICARE Lending Facility and Paycheck Protection Program Loans [Docket No.: OCC-2020-0018] (RIN: 1557-AE90) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

4570. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major interim final rule — Regulatory Capital Rule: Revised Transition of the Current Expected Credit Losses Methodology for Allowances [Docket No.: OCC-2020-0010] (RIN: 1557-AE32) received June 1, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.


4572. A letter from the Compliance Specialist, Wage and Hour Division, Department of Labor, transmitting the Department's withdrawal of final rule Partial Lists of Establishments that Lack or May Have a "Retail Concept" Under the Fair Labor Standards Act (RIN: 1235-AA32) received May 28, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

4576. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Office of Civil Rights, Department of Health and Human Services, transmitting the Department's final rule — Non-discrimination in Health Education Programs or Activities, Delegation of Authority (RIN: 0938-AAA1) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.


4580. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving Public Safety Communications in the 800 MHz Band [WT Docket No.: 02-56] received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4581. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, Department of Energy, transmitting the Commission's Major final rule — Revision of Fee Schedules; Fee Recovery for Fiscal Year 2020 [NRC-2019-0048] (RIN: 1510-AK16) received June 24, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4582. A letter from the Director, Office of Congressional Affairs, Department of Homeland Security, transmitting the Secretary of Homeland Security's memorandum to the Committees on Appropriations, and in addition to the Committees on the Budget, Ways and Means, and for a period to be specified by the President, determined by the Attorney General, in case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

4583. A letter from the Director, Office of Government Ethics, transmitting the office's final rule — Post-employment Conflict of Interest Restrictions; Revision of Departmental Component Designations (RIN: 3209-AA44) received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4585. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Contract Year 2021 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, and Medicare Cost Plan Program [CMR-4800] (RIN: 0939-AD95) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. HARTZLER (for herself, Mr. GALLAGHER, Mr. GAZT, Mr. BURGESS, Mr. ROCHE OF Alabama, Mr. POSEY, Mr. GOSSE, Mr. PERRY, Mr. MULLIN, Mr. SPAG, Mr. GIANFORT, Mr. WRIGHT, and Mr. LAMAFA):
H.R. 7326. A bill to amend section 212 of the Immigration and Nationality Act to ensure that efforts to engage in espionage or technology transfer are considered in visa issuance, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. NEAL, Ms. DELAURO, Ms. CLARK of Massachusetts, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of California, and Mr. GRAHAM of North Carolina):
H.R. 7327. A bill making additional supplemental appropriations for disaster relief requirements for the fiscal year ending September 30, 2020, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on the Budget, Ways and Means, for a period to be specified by the President, determined by the Attorney General, in case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEASALNIEUER (for himself and Mr. THOMPSON of Pennsylvania):
H.R. 7328. A bill to designate the facility of the United States Postal Service located at 874w18880 Janesville Road, in Muskego, Wisconsin, as the "Colonel Hans Christian Heg Post Office"; to the Committee on Oversight and Reform.

By Mr. THOMPSON of California (for himself, Mr. NEAL, Mr. LEWIS, Mr. DOUGGIE, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PARC, Mr. DANNY K. DAVIS of Illinois, Ms. SANCHEZ, Mr. HIGGINS of New York, Ms. SEWELL of Alabama, Ms. DELBANE, Ms. JUDY CHU of California, Ms. MOORE, Mr. KIDDE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BEYVIN, Mr. SCHWUER, Mr. SCOTT, Mr. SUZEE, Mr. PANZETTA, Ms. MURPHY of Florida, Mr. GOMEZ, Mr. HORSFORD, Mr. LEVIN of California, Mr. LOVETT, Mr. TONKO, Mr. MORN, Ms. KUH of New Hampshire, Mr. ROUDA, Ms.
H.R. 7331. A bill to establish the Office of the National Cyber Director, and for other purposes; to the Committee on Armed Services, Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mr. GALLAGHER, Mrs. CAROLYN B. MALONEY of New York, Mr. KATKO, Mr. MITCHELL of Massachusetts, and Mr. HURD of Texas):

H.R. 7341. A bill to require the Federal Communications Commission to provide blanket availability data to the Department of Interior; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURTIS:

H.R. 7344. A bill to require the Federal Communications Commission to afford reasonable access to Federal facilities; to the Committee on Energy and Commerce.

By Mr. DIAZ-BALART:

H.R. 7349. A bill to amend the Internal Revenue Code of 1986 to prohibit siting processes for telecommunications service facilities, and for other purposes; to the Committee on Ways and Means.

By Ms. DINNELL:

H.R. 7347. A bill to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the "Lieutenant Charles S. Remington Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mrs. FLETCHER (for herself, Ms. SPEIER, and Mrs. MURRAY of Virginia):

H.R. 7348. A bill to provide for the National Academies to study and report on a Federal research agenda to advance the understanding of PFAS, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. FLORES:

H.R. 7349. A bill to require the Secretary of Interior and the Secretary of Agriculture to provide a plan to ensure adequate staffing throughout organizations of the Department of Interior and Department of Agriculture to review communications use authorizations in a timely manner; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIANFORTE:

H.R. 7352. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on Rules, the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX of North Carolina (for herself, Mr. CUellar, and Mr. PETERS):

H.R. 7353. A bill to amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency, and for other purposes; to the Committee on Ways and Means.

By Mr. LANDGES (for himself, Mr. MURPHY of Florida, Mr. GLECKENBAUGH, Ms. ESPROO, Mr. NEGREU, Mr. SERRANO, Mr. CARBAJAL, Ms. MATSU, Mr. TAKANO, Mrs. HAYES, and Mr. SOTO):

H.R. 7332. A bill to amend the Internal Revenue Code of 1986 to provide tax credits for qualified renewable energy investments for certain small businesses; to the Committee on Ways and Means.

By Mr. LEE of Virginia (for himself, Mr. ROYBAL-CASTRO, Mr. BONASERI, Ms. PAYNE, Mr. CONNOLLY (for himself, Mrs. MALONEY of New York, Mr. SARBANES, Mrs. LAWRENCE, Mr. LYNCH, Ms. NOR顿, Mr. RASKIN, and Mrs. SMITH of Massachusetts):

H.R. 7355. A bill to provide an enhanced general penalty for any person who willfully or maliciously destroys a communications facility on Federal lands; to the Committee on Natural Resources.

By Mr. BUCSHON:

H.R. 7356. A bill to streamline the process for applications for accelerated payments to certain small business concerns, for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources.

By Mr. BURGESS:

H.R. 7361. A bill to establish the Office of the National Artificial Intelligence Director, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTER of Georgia:

H.R. 7347. A bill to amend the Internal Revenue Code of 1986 to provide certain Federal income tax benefits for the production of dual-use advanced materials for national defense; to the Committee on Ways and Means.

By Mr. CHEN:

H.R. 7353. A bill to amend the Internal Revenue Code of 1986 to provide tax credits to expand federal research in the field of artificial intelligence workforce, and for other purposes; to the Committee on Ways and Means.

By Mr. CHEN (for himself, Mr. SMITH of Missouri, Mr. GIANNETTI, and Mr. KUSTOFF of Tennessee):

H.R. 7338. A bill to amend section XVIII of the Social Security Act to permit the Secretary of Health and Human Services to waive requirements relating to the furnishing of telehealth services in Medicare programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 7359. A bill to amend the National Academy of Sciences to ensure that the National Academy of Sciences consider the application of artificial intelligence in the field of climate change, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. COHEN (for himself, Mr. CARCONE, Mr. ROYBAL-CASTRO, Ms. PAYNE, Mr. LYNCH, Ms. HERVEY, Mr. RASKIN, Mr. MONTENEGRO, Ms. SPEIER, and Mr. MCEWAN):

H.R. 7362. A bill to require the Secretary of Commerce to establish a program to ensure that personal protective equipment and other equipment and supplies needed to fight coronavirus are provided to Federal agencies in a timely manner; to the Committee on Oversight and Reform.

By Mr. CONNOLLY (for himself, Mr. CARCONE, Mr. ROYBAL-CASTRO, Ms. PAYNE, Mr. LYNCH, Ms. HERVEY, Mr. RASKIN, Mr. MONTENEGRO, Ms. SPEIER, and Mr. MCEWAN):

H.R. 7357. A bill to provide that an eligible small business concerns, for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means.

By Mr. COHEN (for himself, Mr. CARCONE, Mr. ROYBAL-CASTRO, Ms. PAYNE, Mr. LYNCH, Mr. RASKIN, Mr. GOMEZ, and Ms. SPEIER):

H.R. 7347. A bill to require a report on ac- celerated payments to certain small business concerns, for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources.

By Mr. CROW (for himself, Ms. CHENNY, Mr. WALTZ, and Mrs. DAVIS of California):

H.R. 7343. A bill to limit the use of funds to reduce the number of Armed Forces deployed to Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURTIS:

H.R. 7343. A bill to limit the use of funds to reduce the number of Armed Forces deployed to Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURTIS:

H.R. 7344. A bill to require the Federal Communications Commission to provide broadband availability data to the Department of Interior; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 7345. A bill to require the Border Patrol to counter white identity terrorism globally, and for other purposes; to the Committee on Foreign Affairs, and in addi- tion to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART:

H.R. 7346. A bill to amend the Internal Revenue Code of 1986 to require that any regulatory re- bates to certain individuals, and for other purposes; to the Committee on Ways and Means.

By Mrs. DINGELL:

H.R. 7347. A bill to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the "Lieutenant Charles S. Remington Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

By Mrs. FLETCHER (for herself, Ms. SPEIER, and Mrs. SMITH of New York):

H.R. 7349. A bill to provide for the National Academies to study and report on a Federal research agenda to advance the understanding of PFAS, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. FLORES:

H.R. 7349. A bill to require the Secretary of Interior and the Secretary of Agriculture to provide a plan to ensure adequate staffing throughout organizations of the Department of Interior and Department of Agriculture to review communications use authorizations in a timely manner; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIANFORTE:

H.R. 7350. A bill to streamline the process for consideration of applications for the placement of communications facilities on certain buildings and other property owned by the Federal Government, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOMEZ (for himself, Mr. PA- NETTA, Ms. SÁNCHEZ, Mr. THOMPSON of California, and Ms. JUDY CHU of California):

H.R. 7351. A bill to amend the Internal Revenue Code of 1986 to provide a credit for low-income housing supportive services; to the Committee on Ways and Means.

By Mr. GRIFFITH:

H.R. 7352. A bill to amend the Communications Act of 1934 to streamline siting processes for telecommunications service facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTHRIE:

H.R. 7353. A bill to provide that a project eligible for reimbursement under the Secure and Trusted Communications Act of 2019 shall not constitute an undertaking under section 300320 of title 54, United States Code, or a major Federal action for the purposes of section 102(2)(C) of the National Environ- ment Policy Act of 1969, and for other pur- poses; to the Committee on Energy and Com- merce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER:

H.R. 7345. A bill to direct the Secretary of Agriculture to transfer certain National For- est Service land in the State of Washington to Skamania County, Washington; to the Committee on Natural Resources.
By Mr. HUDSON:
H.R. 7355. A bill to require the Assistant Secretary of Commerce for Communications and Information to submit a plan to Congress to track requests for communications use authorization on Federal land; to the Committee on Energy and Commerce.

By Ms. TAYLOR, Ms. PRESSLEY, Ms. TRAVIS, and Ms. CLARKE of New York:
H.R. 7356. A bill to prohibit biometric surveillance by Federal Government without explicit statutory authority and to withhold certain Federal public safety grants from State and local governments that establish biometric surveillance; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio:
H.R. 7357. A bill to provide that a request for the collocation of a personal wireless service facility is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of South Dakota (for himself, Mrs. HARTZLER, Mr. FALCHUK, Mr. CONAWAY, Mr. WALBERG, Mr. HAGENDOORN, Mr. CHABOT, Mr. ROUZER, Mr. BERGMAN, Mr. KELLER, Mr. WILSON of South Carolina, Mr. SMUCKER, Mr. DAVIDSON of Ohio, Mr. JOHNSON of Louisiana, and Mr. MEUSEK):
H.R. 7358. A bill to provide that no Federal funds shall be used to alter, change, destroy, or remove, in whole or in part, any name, face, or other feature on the Mount Rushmore National Memorial; to the Committee on Natural Resources.

By Mr. KELLY of Mississippi:
H.R. 7359. A bill to accelerate rural broadband deployment; to the Committee on Energy and Commerce.

By Mr. KINZINGER:
H.R. 7360. A bill to extend the Middle Class Tax Relief and Job Creation Act of 2012 to codify the 60-day time frame for certain eligible facilities requests; to the Committee on Energy and Commerce.

By Mr. KINZINGER (for himself, Mr. TURNER, Mr. GALLEGOS, Ms. STEFFAN, Mr. HECK, Mr. WOMACK, Mr. PHILLIPS, Mr. BISHOP of Utah, and Ms. KAPTURE):
H.R. 7361. A bill to clarify and expand sanction applications with respect to the construction of the Nord Stream 2 or TurkStream pipeline projects; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LONG:
H.R. 7362. A bill to amend the Communications Act of 1934 to streamline siting processes for personal wireless service facilities, including small personal wireless service facilities; to the Committee on Energy and Commerce.

By Mr. LONG:
H.R. 7363. A bill to prohibit a State or political subdivision thereof from providing or offering for sale to the public retail or wholesale sale of, or access, service, or for other purposes; to the Committee on Energy and Commerce.

By Mr. LYNCH:
H.R. 7363. A bill to amend title 49, United States Code, to allow grants for buses and bus facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MASSIE (for himself, Mr. McCINTOCK, and Mr. GOSAR):
H.R. 7366. A bill to promote the leadership and initiative of the United States in global innovation by establishing a program that restores and protects the right of inventors to own and enforce private property rights in inventions and discoveries, and for other purposes; to the Committee on the Judiciary.

By Mr. MCKINLEY:
H.R. 7367. A bill to require the Assistant Secretary of Commerce for Communications and Information to report to Congress every 60 days on barriers to implementation by the Department of Interior and Department of Agriculture to accept, process, and dispose of an application for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources, in addition to the Committees on Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOULTON:
H.R. 7368. A bill to amend title 10, United States Code, to improve the process by which a member of the Armed Forces may be required for a mission; to the Committee on Armed Services.

By Mr. MULLIN:
H.R. 7369. A bill to amend the Communications Act of 1934 to amend provisions relating to franchise term and termination and provisions relating to the elimination or modification of requirements in franchises, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NADLER (for himself, Mr. NORCROSS, Mr. CRIOLLINE, Mrs. DEMINGS, Mr. RILLIUS of Georgia, Ms. JAYAPAL, Ms. SCALON, Ms. DEAN, and Ms. GARCIA of Texas):
H.R. 7370. A bill to amend title 11, United States Code, to authorize for employees and retirees in businesses bankruptcies; to the Committee on the Judiciary.

By Mr. POCAN (for himself, Mr. CONOLLY, Mr. COURTNEY, Mr. GARCIA of Illinois, Ms. JAYAPAL, Mr. KHANNA, Mr. LEVIN of Michigan, Mr. LOWENTHAL, Mrs. NAPOLITANO, Ms. NORTON, Mr. RASKIN, Ms. Schackowsky, Mr. Thompson of Mississippi, and Ms. TLAB):
H.R. 7371. A bill to amend the Relief for Workers Affected by Coronavirus Act to extend Federal Pandemic Unemployment Compensation and improve short-time compensation programs and agreements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:
H.R. 7372. A bill to provide that the deployment of a small personal wireless service facility shall not constitute an undertaking under section 300320 of title 54, United States Code, or a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself and Mr. STEVENS):
H.R. 7373. A bill to require the Securities and Exchange Commission to revise rules to exclude business development companies from certain “Acquired Fund fees and expenses” regulations and extend the pilot program on defense manufacturing, and for other purposes; to the Committee on Armed Services.

By Mr. UPTON:
H.R. 7377. A bill to require the Department of Interior and Department of Agriculture to establish an online portal to accept, process, and dispose of an application for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:
H.R. 7378. A bill to provide that a request for the deployment or modification of a communications facility on a brownfields site is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDO:
H.R. 7379. A bill to require the Department of Interior to prepare a report for the Congress concerning information under section 300320 of title 54, United States Code, or a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE:
H.R. 7374. A bill to provide that the deployment of a small personal wireless service facility shall not constitute an undertaking under section 300320 of title 54, United States Code, or a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:
H.R. 7378. A bill to provide that a request for the deployment or modification of a communications facility on a brownfields site is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself, Mr. MURDOCH, Mr. BAUCUS, Mr. DOFAIOZ, and Mr. BLUMENTHAL):
H.R. 7379. A bill to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the “Robert D. Maxwell Department of Veterans Affairs Clinic”; to the Committee on Veterans’ Affairs.

By Mr. COOPER:
H.J. Res. 91. A joint resolution proposing an amendment to the Constitution of the United States to provide that members of the Armed Forces may be required for a mission; to the Committee on Armed Services.
CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution:

By Mr. DESAULNIER:
H.R. 7326. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 4 and clause 18.
By Ms. LOWEY:
H.R. 7327. Congress has the power to enact this legislation pursuant to the following:
The principal constitutional authority for this legislation is clause 7 of section 8 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . ."
In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and General Welfare of the United States . . . ."

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. DeSAULNIER:
H.R. 7328. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Mr. STEIL:
H.R. 7329. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 7 of the United States Constitution: "Congress shall have the power . . . to establish post offices and post roads."

By Mr. THOMPSON of California:
H.R. 7330. Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8.
By Mr. LANGEVIN:
H.R. 7331. Congress has the power to enact this legislation pursuant to the following:
Section 8 of Article 1 of the US Constitution.
By Ms. FOXX of North Carolina:
H.R. 7332. Congress has the power to enact this legislation pursuant to the following:
The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.
By Mr. BILIRAKIS:
H.R. 7333. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mrs. BROOKS of Indiana:
H.R. 7334. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.
By Mr. BUCHSHON:
H.R. 7335. Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8 of the United States Constitution.
By Ms. CHENEY:
H.R. 7336. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 1.
By Mr. COHEN:
H.R. 7337. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 8.
By Mr. CONNOLLY:
H.R. 7338. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof.
By Mr. CROW:
H.R. 7339. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 8.
By Mr. CROW:
H.R. 7340. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 18.
By Mr. CARTER of Georgia:
H.R. 7333. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 3.
By Mr. GRIFFITH:
H.R. 7341. Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, clause 3.
By Mr. DIAZ-BALART:
H.R. 7342. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 1.
By Mr. GIANFORTE:
H.R. 7343. Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2.
By Ms. JAYAPAL:
H.R. 7344. Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2.
By Ms. HERRERA BEUTLER:
H.R. 7345. Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2, which states: "The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.
By Mr. HUDSON:
H.R. 7346. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. JAYAPAL:
H.R. 7347. Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. JOHNSON of Ohio:
H.R. 7348. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the US Constitution.
By Mr. JOHNSON of South Dakota:
H.R. 7349. Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2: “The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.”

By Mr. KELLY of Mississippi:
H.R. 7359.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending,

By Mr. KINZINGER:
H.R. 7360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 and 18

By Mr. KINZINGER:
H.R. 7361.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution

By Mr. LATTA:
H.R. 7362.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: Congress shall have the power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. LONG:
H.R. 7363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. LYNCH:
H.R. 7364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. LYNCH:
H.R. 7365.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. LONG:
H.R. 7366.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: Congress shall have the power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. SHERMAN:
H.R. 7367.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. SLOTKIN:
H.R. 7368.

Congress has the power to enact this legislation pursuant to the following:

Article, Section 6, Necessary and Proper Clause: “To make all Laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.”

By Mr. UPTON:
H.R. 7369.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 “to regulate commerce with foreign nations, and among the several states”

By Mr. WALBERG:
H.R. 7370.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from but not limited to, Clause 3 of Section 8 of Article I of the United States Constitution. “To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. WALDEN:
H.R. 7371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17 of the United States Constitution (relating to the power of Congress to exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Govern- ment of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings).

By Mr. COOPER:
H.J. Res. 91.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 40: Mr. Kilmer.
H.R. 85: Mr. Tiffany.
H.R. 479: Mr. Tiffany.
H.R. 645: Mr. HUFFMAN and Ms. Lee of California.
H.R. 651: Ms. Tittus.
H.R. 733: Mr. COOK, Ms. DAVIDS of Kansas, and Ms. HAALAND.
H.R. 841: Ms. Lee of California.
H.R. 893: Ms. Lee of California.
H.R. 955: Mr. POCAN.
H.R. 1097: Mr. RUPPERSBERGER and Ms. SPANBERGER.
H.R. 1109: Ms. PORTER, Mr. VAN DREW, Ms. SHERWIN, Ms. SCHAKOWSKY, and Mrs. BRATTY.
H.R. 1118: Ms. CRAIG.
H.R. 1196: Mr. AGUILAR and Mrs. Murphy of Florida.
H.R. 1383: Mr. MORELLE.
H.R. 1533: Mr. TONKO.
H.R. 1646: Ms. JOHNSON of Texas and Mr. COHEN.
H.R. 1776: Mr. BUCHANAN and Mr. NEUSE.
H.R. 1787: Ms. SHALALA.
H.R. 1836: Mr. KEVIN HERN of Oklahoma.
H.R. 1878: Ms. DEGETTE.
H.R. 1903: Mrs. AXNE and Ms. KUSTER of New Hampshire.
H.R. 1981: Mr. THOMPSON of California.
H.R. 2041: Ms. BROWNLEY of California.
H.R. 2344: Mr. MIHURIS.
H.R. 2442: Mr. CHOW and Mr. CÁRDENAS.
H.R. 2698: Ms. CHAO.
H.R. 2771: Ms. SPANBERGER.
H.R. 2969: Ms. DELBENE.
H.R. 2969: Ms. CHAO.
H.R. 2968: Ms. BUCHANAN, MS. BLUNT ROCK
erster, Ms. KAPTUR, Mr. BACON, and Mr. RESCHENTHALER.
H.R. 2968: Ms. BEATTY.
H.R. 2967: Mr. SACABANES.
H.R. 2968: Ms. SOTO, Ms. JUDY CHU of California, Ms. CICILLINE, Miss RICE of New York, Mr. KRANNA, Mr. FOCAN, Mr. CRIST, and Mr. JOYCE of Ohio.
H.R. 3138: Mr. COOPER.
H.R. 3244: Mr. ABRAHAM.
H.R. 3316: Mr. PASCHKE, Mr. STIVERS, and Mr. SMUCKER.
H.R. 3553: Mr. SWALWELL of California.
H.R. 3711: Mr. PAYNE and Mr. LAWSON of Florida.
H.R. 3751: Ms. JACKSON LEE and Mr. SAN NICOLAS.
H.R. 3772: Ms. KUSTER of New Hampshire.
H.R. 3853: Mr. LYNCH.
H.R. 3922: Mr. RUSH.
H.R. 3930: Mr. MURPHY of North Carolina.
H.R. 3971: Mr. MOOLINAR.
H.R. 4093: Mr. TONKO.
H.R. 4179: Ms. WILSON of Florida, Ms. BROWNLEY of California, Mr. LEVIN of Michigan, Mr. VARGAS, Ms. CLARK of Massachusetts, Mr. FALCON, Mr. ROSE of New York, Mr. CONNOLLY, Mr. PAFFAS, Ms. JOHNSON of Texas, Mr. HASTINGS, Mr. KILMER, and Ms. ROYBAL-ALLARD.
H.R. 4296: Mr. COOK.
H.R. 4257: Ms. WASSERMAN SCHULTZ.
H.R. 4549: Mr. TED LIEU of California.
H.R. 4549: Mr. ROUDA, Mr. BUCK, Mr. PITTS, Mr. PADEN, and Mr. BRENNER.
H.R. 4679: Ms. MUCARSEL-POOLW, Mr. AGUILAR, and Mr. HASTINGS.
H.R. 4681: Mrs. HAYES.
H.R. 4681: Ms. DELBENE.
H.R. 4930: Mr. BANKS.
H.R. 5028: Ms. TITTS.
H.R. 5183: Mr. CICILLINE.
H.R. 5191: Ms. LOFUREN, Ms. SCANLON, and Ms. HAALAND.
H.R. 7359: Ms. JOHNSON of Texas.
H.R. 6874: Ms. Scanlon, Ms. Schrier, Mrs. Trahan, Ms. Mucarsel-Powell, Mr. Levin of California, Mrs. Cisneros, Ms. Craig, and Mr. Khanna.
H.R. 6882: Mr. Joyce of Pennsylvania.
H.R. 6897: Mr. Garamendi.
H.R. 6909: Mr. Khanna and Ms. Kaptur.
H.R. 7023: Mrs. Hartzler, Mr. Fleischmann, Mr. Gibbs, and Mr. Riggleman.
H.R. 6934: Mr. Gonzalez of Texas, Mr. David Scott of Georgia, and Ms. Sewell of Alabama.
H.R. 6958: Mr. Trone.
H.R. 6969: Mr. Carson of Indiana.
H.R. 6968: Mr. Kind.
H.R. 7025: Mr. McNerney and Mrs. Brooks of Indiana.
H.R. 7027: Mr. Vislosky, Ms. Kaptur, Ms. Pressley, and Ms. McCollum.
H.R. 7039: Mr. Yoho.
H.R. 7040: Mr. Yoho.
H.R. 7071: Mr. Cook, Mr. Cole, and Mr. Brooks of Alabama.
H.R. 7092: Mrs. MBatch, Mr. Cardenas, Mr. Himes, Ms. Schrier, Mr. Fleischmann, Mrs. Hayes, Ms. Dean, Mr. Heck, Mr. Bera, Mrs. Napolitano, Mr. Larsen of Washington, Mrs. Luria, Mr. Clay, Ms. McCollum, Ms. Judy Chu of California, and Mrs. Carolyn B. Maloney of New York.
H.R. 7094: Mr. Balderson.
H.R. 7140: Mr. Pocan, Mr. Grijalva, and Mr. McAdams.
H.R. 7154: Ms. Sewell of Alabama, Mr. Harder of California, and Mrs. Napolitano.
H.R. 7155: Mrs. Luria.
H.R. 7170: Mr. Fulcher.
H.R. 7178: Ms. Khanna and Mr. Baird.
H.R. 7190: Mr. Moyleenaar, Ms. Sewell of Alabama, Mr. Cole, and Mr. Soto.
H.R. 7196: Mr. Yoho.
H.R. 7207: Mr. Raskin, Mr. Nadler, Mr. Bonamici.
H.R. 7211: Mr. Austin Scott of Georgia.
H.R. 7212: Mr. Cole.
H.R. 7222: Mr. Kelly of Pennsylvania, Ms. Sewell of Alabama, Ms. Sánchez, and Mr. Fitzpatrick.
H.R. 7232: Mrs. Lawrence, Ms. Shalala, Mr. Walker, Ms. DeGette, Ms. Clark of Massachusetts, Mr. Khishnamoorthi, Mr. Wilson of Florida, Ms. Dingell, Mr. Aguilar, Mr. Clark, Mr. Schneider, Mr. Pocan, Ms. Wasserman Schultz, Mr. Brown of Maryland, Ms. Frankel, Mr. Hastings, Mr. Richmond, Ms. McCollum, Mr. Higgins of New York, Ms. Kuster of New Hampshire, Mr. Soto, Ms. Mucarsel-Powell, Ms. Haaland, Mr. Rush, Mr. Meeke, Mr. Bryan, Ms. Bonamici, Mr. Kildee, Mr. McAdams, Mr. Danny K. Davis of Illinois, Mr. Rouda, and Mr. Larsen of Washington.
H.R. 7241: Mr. Phillips.
H.R. 7246: Mr. Malinowski, Mr. Trone, Mr. Sherman, and Mr. Panetta.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

**Offered By Mrs. Lowey**

H.R. 7327, making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1154: Mr. Gallego.

H.R. 1154: Mr. Gallego.
Senate

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

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

Let us pray.

Our Father in Heaven, we sing of Your steadfast love and proclaim Your faithfulness to all generations. Lord, make us one Nation, truly wise with righteousness, exalting us in due season.

Today, inspire our lawmakers to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make. Lord, keep them from evil so that they will not be brought to grief, enabling them to avoid the pitfalls that lead to ruin. Empower them to glorify You in all they think, say, and do.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME
The PRESIDING OFFICER (Mrs. HYDE SMITH). Under the previous order, the leadership time is reserved.

The Senator from Iowa.

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

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

THE JUSTICE ACT
Mr. GRASSLEY. Madam President, it was a sad day yesterday when we didn't get enough votes because the Democratic leader didn't want Democrats to vote. We did get four of those votes from that side of the aisle, but the police reform bill didn't come out. Senate Republicans are taking a step in advancing real change on this issue in our country. We have heard calls for police reform and are responding—not only because of George Floyd's murder in Minneapolis a few weeks ago but also because of peaceful demonstrations around the country on this issue calling for police reform.

Senator SCOTT is the leader of the JUSTICE Act. I am a cosponsor. It encourages States to stand as partners in addressing police reform. If State and local police departments don't comply with the provisions of the JUSTICE Act, such as training officers on deescalation and use-of-force and ensuring consistent use of body-worn cameras, they will not receive Federal funding for police action.

Iowa has made significant changes already, and a number of other States have followed Iowa's example. The Iowa Legislature unanimously passed police reform issues very much like what is in the Scott bill, and, working with leaders of color in Iowa to accomplish this goal, it went very smoothly through the Iowa Legislature. I got a firsthand report from my grandson, who is speaker of the Iowa House. The Iowa House is divided 53 to 47, but both houses of the Iowa Legislature passed these reforms unanimously.

Why can't Senate Democrats let us go forward with the Scott bill? All we need are four more Democratic votes. If it can happen in the Iowa Legislature, it ought to be able to happen here.

We have a role to play in the Senate, but let's not forget that, while we are doing that, we are also encouraging our State partners to also lead the charge in effecting real change. In fact, 50 State legislatures—every municipality—ought to be moving forward on police reforms of not only our type but whatever they may think is best for their States or municipalities.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDING OFFICER. The majority leader is recognized.

THE JUSTICE ACT
Mr. MCCONNELL. Madam President, the American people have been asked to swallow a number of contradictions over the past few weeks. I have already discussed some of them here on the floor.

Many citizens were told by their mayors that small religious services were just too dangerous. At the same time, massive political protests were not just allowed but encouraged.

Americans have been told they should very carefully distinguish good people from bad apples if they are talking about protests and riots, but they must not make the same distinction if they are talking about the police.

Recently, the country was informed by hysterical journalists that a rational policy essay from our colleague Senator COTTON was just too inflammatory to publish, but the Speaker of the House can say Senator Tim Scott and his 48 cosponsors are “trying to get away with . . . the murder of George Floyd,” and Democrats just cheer her on—cheer her on.

Americans have been ordered to rethink and relearn our Nation's history by a movement that is itself so historically illiterate that they mistake George Washington, Ulysses S. Grant, and a 19th-century abolitionist for enemies of justice and destroy their monuments.

One common thread seems to connect all this: The far left wants you to play by one set of rules if you think like they do and a completely different set of rules if you dare to think anything else.

*This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.*
Well, yesterday here in the Senate, the latest absurdity was added to the list. Our Democratic colleagues tried to say with straight faces that they want the Senate to discuss police reform while they blocked the Senate from discussing police reform. They declared that Senator SCOTT’s bill, which contains many bipartisan components which literally contains entire bills written by Democrats, was beyond the pale. Senator SCOTT offered a wide-open, bipartisan amendment process, and they walked away.

Over in the House, when Democrats shoot down every Republican amendment in committee and allow zero amendments on the floor, you can bet it will be an anointed big, big success.

Now, as an aside, I could not help but notice that in the Democratic leader’s lengthy remarks yesterday morning, he did not once address or acknowledge the junior Senator from South Carolina as the author of the JUSTICE Act—not one time. Not one time did the Democratic leader address Senator TIM SCOTT as the author of the legislation he was trashng.

I cannot see why the Democratic leader talks right past Senator SCOTT as if he were not leading this discussion, as if he were barely here. All I can say is that it was jarring to witness, especially in a national moment like this. Senator SCOTT was the leader of the working group. He wrote the bill. He has been studying and working on and living these issues since long, long before the Democratic leader came rushing to the microphones on this subject a few weeks ago.

I can certainly take all the angry comments my colleague from New York wants to throw my way. I don’t mind. But if he would like to learn something about the substance of this issue, he might want to stop acting like Senator SCOTT hardly exists and learn from the expert who wrote the bill.

The American people know you do not really want progress on an issue if you block the Senate from taking it up. They know that most police officers are brave and honorable and that most protesters are peaceful. They know our country needs both. We need both. The American people know they don’t need history lessons from common criminals who are dragging George Washington through the dirt. They know prayer is no less essential to face off with competitors and defend our security and our interests around the world.

In just the last several weeks, China has grown even bolder in its supposed “enforcement” of disputed waters and picked deadly fights with the world’s largest democracy in the Himalayas. Russia has deployed aircraft to within eyesight of U.S. airspace and has kept testing the free world’s tolerance for cyber attacks. North Korea has threatened a new round of the Korean war. Iran continues to flout international agreements and fuel instability throughout its region. Terrorists prey on the instability to advance their own extreme violence.

Clearly, those who mean us harm will not wait for America’s domestic challenges to fade away, and they certainly will not wait for the United States to quit bickering. So, notwithstanding all our other differences, I hope and expect this body will be able to put partisan-ship aside and honor the bipartisan tradition that has defined this crucial bill for decades.

While the House has been missing in action on the longest spring break in human history, the Senate has been conducting the people’s business alone. We have confirmed nominees. We have conducted critical oversight. We passed historic legislation for our national parks and public lands. We have kept a close watch on the bad actors abroad who would love nothing more than to take advantage of a distracted and divided United States.

Today, months of focused work from our colleagues on the Armed Services Committee will let the Senate start to move toward this year’s National Defense Authorization Act. Thanks to Chairman INHOFE and the committee, for a 60th straight year, the Senate has an opportunity to lay out our priorities for the U.S. military with a united vote. Chairman INHOFE and Ranking Member REED guided a collaborative, bipartisan process.

The committee considered 391 amendments and reported out their final bill on a nearly unanimous basis. The result is legislation that honors the unique sacrifices of our men and women in uniform, from authorizing a pay raise for Active-Duty personnel to ensuring high-quality housing, health, and childcare services for families stationed at home and abroad.

Their product will help ensure our military continues to attract the next generation of warfighters and leaders and that those men and women will have cutting-edge equipment and tools to face off with competitors and defend our security and our interests around the world.

The PRESIDING OFFICER. I suggest the absence of a quorum.

The Democratic leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCONNELL. Madam President, on a completely different matter, the Senate does not have the luxury of letting these disagreements prevent needed bipartisan progress on other fronts.

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 4049, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

JUSTICE IN POLICING ACT

Mr. SCHUMER. Madam President, the House of Representatives will pass the Justice in Policing Act today—a comprehensive, strong bill to bring lasting change to police departments across America and tackle the extremely large and difficult problem of police bias, police violence, racial bias, and the lack of transparency and accountability in law enforcement.

Unlike the Republican policing bill, the Justice in Policing Act will fully ban choke holds. The Justice in Policing Act will ban no-knock warrants in Federal cases, not just study them like in the Republicans’ bill. Unlike the Republicans’ bill, the Justice in Policing Act will also bring sorely needed accountability to police officers who are guilty of misconduct, including qualified immunity reform, use-of-force standards, and policies to end racial profiling.

My Republican colleagues should look to the House today if they want to see what a serious attempt at policing reform looks like and if they want to understand why their bill failed to earn enough votes to proceed yesterday.

The Republicans’ policing reform bill failed because it was not a serious enough effort at reform. The legislation itself was so threadbare, so weak, and so narrow, it could hardly be considered a constructive starting point. That is why more than 138 civil rights organizations, which want nothing
Here again, 4 months into the virus, as the case numbers continue to grow in so many places, the President’s lack of attention led to a short-sage of the last COVID relief legislation. The Democrats hoped to continue the bipartisan work—work that produced the CARES Act—in April, May, and now June but to no avail. The House passed the HEROES Act over a month ago, which includes hazard pay, housing assistance, extended unemployment insurance, and relief for State and local governments. Yet, as the pandemic continued to spread and unemployment skyrocketed, the Senate Republicans said they felt no urgency to act immediately. There have been more than 40 million unemployment claims—another 1.5 million this week alone—and still Leader McConnell and the Republican Senate don’t feel an urgency to act.

Leader McConnell originally said that another emergency relief bill was likely during June. Now he is saying late July. A few days ago, the Republican leader—Leader McConnell, who controls the floor set up the process. The Republican majority drafted a bill on its own, and instead of putting it through committee, where members of both parties could analyze and amend it, he dropped it on the floor and dared the Democrats to block it.

Let me be very clear: The debate on policing reform is only over for those who want it to be over and for, maybe, those who never truly wanted this debate in the first place, because the truth is, by the end of the day today, the House will have passed the most serious policing reform bill in decades. Here in the Senate, the Senate Democrats have been clear that we want to sit down with our colleagues and try to negotiate a bipartisan product that can go through committee and come to the floor.

As I said a week ago, I know my friend from South Carolina is trying to do the right thing, but Leader McConnell, on Tuesday alone—the third worst single day of the entire pandemic. Hospitalization rates in Arizona and Texas have hit daily records, and Florida is not far behind.

The rise in cases, scientists warn, is not explained by the current rate of testing. One reason our Nation has struggled so to contain the coronavirus is President Trump’s complete mismanagement of the government’s response. In the early days of the virus, the President’s lack of attention led to a short-sage of PPE, ventilators, and a painfully, damagingly slow ramp-up of testing.

CORONAVIRUS

Madam President, the COVID–19 pandemic continues to spread and swell across the United States. Yesterday afternoon, the New York Times reported that new cases of COVID–19 are now at the highest levels in the United States since the month of April, as 35,000 new cases were identified on Tuesday alone—the third worst single day of the entire pandemic. Hospitalization rates in Arizona and Texas have hit daily records, and Florida is not far behind.

The rise in cases, scientists warn, is not explained by the current rate of testing. One reason our Nation has struggled so to contain the coronavirus is President Trump’s complete mismanagement of the government’s response. In the early days of the virus, the President’s lack of attention led to a short-sage of PPE, ventilators, and a painfully, damagingly slow ramp-up of testing.

Here again, 4 months into the virus, as the case numbers continue to grow in so many places, the President’s lack of attention caused a national failure to overcome the COVID–19 pandemic. The President is gallivanting from State to State and holding political rallies in two of the most affected areas.

The President joked—or perhaps didn’t joke—about instructing his administration to “slow down the testing, please,” because the number of coronavirus cases might make him look bad. Can you believe that? Again, the President urged the administration to “slow down the testing, please,” because the number of cases might make him look bad. Whether it was a joke or not, it is not a joking matter; it is serious stuff.

Throughout this struggle with the coronavirus, the administration, at best, has been late to the debate or asleep at the switch or, at worst, has been doing things that actually harm rather than help.

There were reports yesterday that the administration will, in fact, halt Federal funding for a number of community-based COVID testing sites, likely what was historic Texas State that is getting hard. The administration is actually preparing to slow down the testing, amazingly enough. A lesson from so many countries is that good, strong testing and contact tracing is the key. That seems to be blithely dancing along, going to his little events, and not paying attention to the crisis and doing what is necessary to get a real handle on it. We are witnessing the highest number of new cases since April, and the Trump administration is cutting funding for testing in some of the worst hotspots a terrible decision at a terrible moment but, unfortunately, not atypical of this administration’s total ineptitude.

To cap it all off, today the Trump administration is filing briefs in the Supreme Court in an attempt to invalidate the Nation’s health law at a time when roughly 27 million Americans have lost job-based health coverage, and their only backstops are the exchanges in the healthcare law, but the administration is proposing to get rid of it. It is sort of similar to yesterday, with the nomination on the floor of somebody so anti-voting rights to go to the Supreme Court is a total contradiction of what they say is what they do.

From the beginning, the President has downplayed the severity of the disease. He has spread misinformation about how to stay safe and put his political interests his desire for credit and avoidance of blame above the medical needs and safety of the American people. As a result, President Trump has helped put America first in the number of COVID–19 cases in the world, and unfortunately the situation is not much better in the Senate.

It has been 2 months since the passage of the last COVID relief legislation. The Democrats had hoped to continue the bipartisan work—work that produced the CARES Act—in April, May, and now June but to no avail. The House passed the HEROES Act over a month ago, which includes hazard pay, housing assistance, extended unemployment insurance, and relief for State and local governments. Yet, as the pandemic continued to spread and unemployment skyrocketed, the Senate Republicans said they felt no urgency to act immediately. There have been more than 40 million unemployment claims—another 1.5 million this week alone—and still Leader McConnell and the Republican Senate don’t feel an urgency to act.

Leader McConnell originally said that another emergency relief bill was likely during June. Now he is saying late July. A few days ago, the Republican leader said:

If there is something that’s going to happen, it will emerge in the Senate. It will be when beginning in late July. There have been more than 40 million unemployment claims—another 1.5 million this week alone—and still Leader McConnell and the Republican Senate don’t feel an urgency to act.

Once again, Leader McConnell seems to prefer partisan pronouncements to bipartisan legislating.

This is the same failed approach that delayed the CARES Act 2 months ago and that failed yesterday on policing reform. It will only delay another emergency relief bill, and such delays will be measured in hospital beds, deserted storefronts, and pink slips.

There is one other point—the lack of oversight. This morning, the GAO announced that 31 million in relief checks were sent to people who were dead. Where is the oversight? This is a $3 trillion package, and every small bit of oversight that the Republicans have done has had to be pushed by the Democrats. We should be having far more robust oversight over what has happened as well as moving forward on a new bill.

The Democrats are not going to wait until July to bring some attention to the CARES Act. Next week, on the floor, we will ask our colleagues to take up some important legislation on housing and rental assistance, hazard pay for essential workers, small business relief, funding to help schools open safely, and aid to State and local and Tribal governments. With cases rising in more than 20 States and with emergency unemployment insurance for American families set to expire, we cannot wait another month to act.

I yield the floor.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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

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

CONGRESSIONAL RECORD—SENATE S3279

June 25, 2020
Mr. INHOFE. Madam President, for the next week, the Senate is going to be debating what I consider to be and what I think most people consider to be the most important bill of the year—National Defense Authorization Act. It is an act that we passed and have passed every year for 60 years.

In just a few days, American families across the country will celebrate the Fourth of July—Independence Day—the day that honors our blessings of life, liberty, and the pursuit of happiness. Not all countries share these values; in fact, they reject them. China and Russia would rather have an authoritarian world, one where democracy doesn’t exist, where the rest of the world yields to them.

The national defense strategy is a document that I refer to all the time. It was put together a few years ago when actually 12 really expert Democrats and Republicans came to an agreement as to what our defense should look like in the future. According to this book, China and Russia are our greatest threats right now. They are building up their militaries and expanding their influence around the world.

The fiscal year 2021 National Defense Authorization Act is about sending a message to China and Russia that there is no way you can defeat us, so don't try. That is a pretty blunt message. We couldn't have sent that message 2 years ago. We have been building up, but we are still not where we should be.

We know the way we preserve peace is by demonstrating our strength. We have the best military in the world, and our enemies need to know that. We can't rest on our laurels. We have to implement the national defense strategy because our comparative military advantage is at risk right now. China and Russia are actually catching up and have surpassed us in some areas. Here is one big reason: China and Russia have invested in their military.

This is a shocker when you talk to people because they don't expect it. I learned many years ago—or at least I believed—that we had the best of everything ever since World War II, and it was true for a long period of time. Yet, during the period of time between 2009 and 2015, China increased its military spending by 83 percent. That is just remarkable. Russia has grown its budget by 35 percent. During that same period of time, from 2010 to 2015, for that 5-year period during the Obama administration, we reduced our military by 25 percent. Think about that. China increased theirs by 83 percent, and we reduced ours by 25 percent during that same time period.

Don't forget that these countries willfully mislead on many things, including the actual size of their defense budgets. Russia's is almost three times larger than most people think it is. They look at it and think, well, ours is larger than theirs. It is just that we don't get accurate information, and we know the threats that are out there. Because of these investments, China and Russia have grown not just the sizes of their militaries but their capabilities as well. Last October, China paraded a hypersonic weapon. I remember that so well because it was live on TV. I saw it on television. This was state-of-the-art for both offense and defense, and China had it. Some people said China was maybe faking it, but I believe it had passed, and China showed us that it had something we don’t even have. We don’t have it yet.

Their investments aren't restricted by their borders, and I have seen their buildup, actually, across the world. One prime example is China recently built its first overseas military base. It was in Djibouti. Now, prior to this time in Djibouti and throughout Africa, there was nothing. There was a lot of Chinese presence but not a military operation. In fact, historically, military operations from China have always started in and were evident within its own city limits. I mean, this is where China worked—not in Djibouti, but not in north Africa. In fact, I actually flew over the area. It was supposed to be a restricted area. So there is China over there in Africa, where they have never been before, and in Djibouti, and not just in Djibouti but all the way into southern Tanzania.

And so that is what is going on right now. It wasn’t going on before. Now we see China and Russia grow more and more aggressive and antagonistic. China, in particular, has used the pandemic to lash out in every direction. They have antagonized and harassed the Taiwanese, the Vietnamese, the Indonesian vessels in the South China Sea, and they have used every tool that they have to do this. Do you know what they are doing in the South China Sea? And I did witness this. They did something that most people don’t know is going on. China has actually built seven islands, and when you see what they have on these islands—they don't hide it—it is as if they are preparing for World War III.

Now, we saw 20 Indian soldiers dead, killed by what are essentially baseball bats with spikes when the Chinese conducted a military incursion in territory claimed by China. That just happened.

I called and talked to their Ambassador and gave them our condolences, but that is what China is capable of doing.

Meanwhile, Russia continues to prop up the murderous Assad regime. Putin has sent mercenaries to Libya and throughout Africa.

Both countries have been supporting the corrupt Maduro regime in Venezuela.

We have seen warning signs of this for at least a decade. Meanwhile, the previous administration let our military advantage erode. For 8 years, we had a President for whom the military was not a top priority. I respected him because he had other areas that he thought were more significant. Of course, he was President of the United States, and he did.

But I have to remind you of what I just said a minute ago. We went down by 25 percent between the 5-year period of 2010 and 2015. At the same time, Russia was increasing by 35 percent. We went down 25 percent because they were increasing, China was increasing by 83 percent. Defending America wasn't his top priority, but he was honest about it, and we learned that there were areas where we were falling behind.

Now we have started turning around. Now we have a President whose priority is keeping American families secure, and over the past few years, we began rebuilding our military. Thanks to this President, Trump, our military is growing again. I would say in every area—every country criticizes—we are restoring our military might with new planes, new ships, and new weapons.

Take what we are doing at Fort Sill, for example. Fort Sill is leading the Army’s modernization efforts on the long-range precision fire to restore our combat advantage. That is what is happening all over the country too. So we are pulling out of this thing.

Restoring our might is important, but it is not the only thing that matters. We have to make sure that the planes, the ships, and the weapons are in the right places at the right time, and that is what the NDAA does. That is what we are talking about right now.

The NDAA, as I stated before, I think is the most significant bill that we have all year round, and this will be the 60th year that we have passed it. It makes sure that we have a credible military deterrent that signals to any potential adversaries that they don’t stand a chance against us. That is what we are in the process of doing. That is what this bill is all about.

We introduced it and started talking about it yesterday. We probably should have this finished prior to the 4th of July recess. We should have it passed, although that may be a little bit ambitious.

So we are implementing the National Defense Strategy. That is this book that is all so proud of. It is bipartian. It is saying what we need to do to defend America, and this document is one that we are following to the letter right now. It is our roadmap, this bill, that establishes the Pacific Deterrence Initiative. That is kind of patterned after the European Deterrence Initiative. It focuses resources on the Indo-Pacific, addressing key military capabilities and gaps. That is the area that we are concentrating on right now. This document says we should be doing. That is what we are doing with the Defense authorization bill.
The bill ensures that we have a combat-credible forward posture, and it helps us develop and field the joint capabilities needed to take on the conflicts envisioned by this NDS report.

We push back on China’s and Russia’s attempts to expand their influence by building new alliances and partnerships and strengthening existing ones. They are busy. They are out there.

We protect against intrusion from China and Russia in space and beyond. That is what we have in the bill. That is what we are envisioning we will be able to do.

We safeguard proprietary technology and intellectual property from being infiltrated by the Government of China.

We also reduce our reliance on foreign countries like China as a source for a variety of materials and technologies, including some of the microelectronics and earth minerals, but also medical devices.

Last but not least, we accelerate investment in research and development into technology that would help us catch up with China and Russia—hypersonic weapons, artificial intelligence, quantum computing, and more.

We are not leading in all areas, as most people in America think we are, but we are making such great progress. Our Defense authorization bill last year put us way ahead of where we were before, and this bill does the same thing. So the bill sends a message—a strong message—to China and Russia and anyone else who would try it: We know what you are up to. We know how to stop you. You simply can’t win against us.

So I encourage my colleagues, first of all, to get all of their amendments in. We are trying to get our amendments in by Friday. If we can do that, we will probably get this thing done possibly even by a week from today.

So we have been working on it all year, and this is one of the bills that we work on all year long, and we have a whole team working, including Liz King and John Bonsell. John Bonsell is the Republican staff director, and Liz is with the Democratic staff group working with my partner in this. They have worked very well together, and we should have this bill done and ready to take out.

Of course, let’s keep in mind what we want to accomplish. We want to put our country ahead of China and Russia and get us out of this problem area that we have—an area where our allies believe they are preparing for World War III. So that is what the bill is all about. Hopefully, we will get this thing done and have the necessary ingredients there. This should be the kind of work that we actually go ahead of China and Russia. We want to make it happen, and this is the only way to do it.

I yield the floor.

I suggest the presence of a quorum.

The PRESIDING OFFICER (Mr. Scott of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HAWLEY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2163 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2163) to establish the Commission on the Social Status of Black Men and Boys, and for other purposes.

SEC. 1. SHORT TITLE.

This Act may be cited as the “Commission on the Social Status of Black Men and Boys Act.”

SEC. 2. COMMISSION ESTABLISHMENT AND MEMBERSHIP.

(a) ESTABLISHMENT.—The Commission on the Social Status of Black Men and Boys (hereinafter in this Act referred to as “the Commission”) is established within the United States Commission on Civil Rights Office of the Secretary of Civil Rights.

(b) MEMBERSHIP.—The Commission shall consist of 19 members appointed as follows:

1. The President of the United States shall appoint one member who is not employed by the Federal Government and an expert on issues affecting Black men and boys in America.

2. The Senate minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

3. The House of Representatives majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

4. The House of Representatives minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

5. The Chair of the Congressional Black Caucus shall be a member of the Commission, as well as 5 additional Members of the Congressional Black Caucus who shall be individuals that either sit on the following committees of relevant jurisdiction or are experts on issues affecting Black men and boys in the United States, including:

(A) education;

(B) justice and Civil Rights;

(C) healthcare;

(D) labor and employment; and

(E) housing.

6. The Staff Director of the United States Commission on Civil Rights shall appoint one member from within the staff of the United States Commission on Civil Rights who is an expert in issues relating to Black men and boys.

7. The Chair of the United States Equal Employment Opportunity Commission shall appoint one member from within the staff of the United States Equal Employment Opportunity Commission who is an expert in equal employment issues impacting Black men and boys.

8. The Secretary of Education shall appoint one member from within the Department of Education who is an expert in urban education.

9. The Attorney General shall appoint one member from within the Department of Justice who is an expert in racial disparities within the criminal justice system.

10. The Secretary of Health and Human Services shall appoint one member from within the Department of Health and Human Services who is an expert in health issues facing Black men.

11. The Secretary of Housing and Urban Development shall appoint one member from within the Department of Housing and Urban Development who is an expert in housing and development in urban communities.

12. The Secretary of Labor shall appoint one member from within the Department of Labor who is an expert in labor issues impacting Black men.

13. The President of the United States shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

14. The Members of the Commission shall be made up of an equal number of Republicans and Democrats, shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

15. Members of the Commission shall consist of 19 members appointed as follows:

SEC. 3. OTHER MATTERS RELATING TO APPOINTMENT AND REMOVAL.

(a) TIMING OF INITIAL APPOINTMENTS.—Each initial appointment to the Commission shall be made no later than 90 days after the Commission is established. Any vacancies or unexpired terms on the Commission shall be filled in the same manner.

(b) MEMBERSHIP.—If the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

The bill was ordered to be engrossed and read a third time.

Mr. HAWLEY. Mr. President, I know of no further debate on the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1809) was agreed to as follows:

(Purpose: To require an equal number of Republicans and Democrats to serve on the Commission on the Social Status of Black Men and Boys)

At the end of section 2, add the following:

(c) MEMBERSHIP BY POLITICAL PARTY.—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

The amendment was agreed to as follows:

S. 2163

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 “Commission on the Social Status of Black Men and Boys Act.”

SEC. 2. COMMISSION ESTABLISHMENT AND MEMBERSHIP.

(a) ESTABLISHMENT.—The Commission on the Social Status of Black Men and Boys (hereinafter in this Act referred to as “the Commission”) is established within the United States Commission on Civil Rights Office of the Secretary of Civil Rights.

(b) MEMBERSHIP.—The Commission shall consist of 19 members appointed as follows:

(Signed)
made by the Staff Director of the Commission on Civil Rights.

(b) Terms.—Except as otherwise provided in this section, the term of a member of the Commission shall be 4 years. For the purpose of providing staggered terms, the first term of those members initially appointed under paragraphs (1) through (d) of section 2 shall be 2 years, with the member appointed to fill the term of a person who dies during that term lasting 4 years. Members are eligible for consecutive reappointment.

(c) Removal.—A member of the Commission may be removed from the Commission at any time by the appointing authority should the member fail to meet Commission responsibilities. Once the seat becomes vacant, the appointing authority is responsible for filling the vacancy in the Commission before the next meeting.

(d) Vacancies.—If the appointing authority of a member of the Commission shall either reappoint that member at the end of that member’s term or appoint another person to fill the remaining term, the appointing authority and further action will be considered, including removal and replacement on the Commission.

(e) Minutes.—Minutes shall be taken at each meeting by the Secretary, or in that individual’s absence, the Chair shall select another Commission member to take minutes during the meeting. The Commission shall make its minutes publicly available and accessible not later than one week after each meeting.

SEC. 4. LEADERSHIP ELECTION.

At the first meeting of the Commission each year, the members shall elect a Chair and a Secretary. A vacancy in the Chair or Secretary shall be filled by the vote of the remaining members. The Chair and Secretary are eligible for consecutive reappointment.

SEC. 5. COMMISSION DUTIES AND POWERS.

(a) Study.—(1) In General.—The Commission shall conduct a systematic study of the conditions affecting Black men and boys, including homicide rates, assault and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparity income and wealth levels, school performance levels including post-secondary education and college, and health issues.

(2) Trends.—The Commission shall document trends regarding the topics in paragraph (1) and report on the community impacts of relevant government programs within the scope of such topics.

(b) Recommendations.—The Commission shall propose measures to alleviate and remedy the underlying causes of the conditions described in subsection (a), which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.

(c) Suggestions and Comments.—The Commission shall accept suggestions or comments pertinent to the applicable issues from members of Congress, governmental agencies, public and private organizations, and private citizens.

(d) Staff and Administrative Support.—The Chair and the Staff Director of the United States Commission on Civil Rights shall provide staff and administrative support to the Commission. All entities of the United States Government shall provide information that is otherwise a public record at the request of the Commission.

SEC. 6. COMMISSION MEETING REQUIREMENTS.

(a) First Meeting.—The first meeting of the Commission shall take place no later than 30 days after the initial members are all appointed. Meetings shall be focused on significant issues affecting Black men and boys, for the purpose of initiating research ideas and delegating research tasks to Commission members to initiate the first annual report provided in section 7.

(b) Quarterly Meetings.—The Commission shall meet quarterly. In addition to all quarterly meetings, the Commission shall meet at other times at the call of the Chair or as determined by a majority of Commission members.

(c) Quorum Rule for Voting on Final Actions.—A majority of the members of the Commission constitute a quorum, and an affirmative vote of a majority of the members present with alternates is required.

(d) Expectations for Attendance by Members.—Members are expected to attend all Commission meetings. In the case of an absence, the Chair or the appointing authority and further action will be considered if a member is absent twice in a given year, or she will be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

(e) Minutes.—Minutes shall be taken at each meeting by the Secretary, or in that individual’s absence, the Chair shall select another Commission member to take minutes during the meeting. The Commission shall make its minutes publicly available and accessible not later than one week after each meeting.

SEC. 7. ANNUAL REPORT GUIDELINES.

The Commission shall make an annual report, beginning the year of the first Commission meeting. The report shall address the current conditions affecting Black men and boys, and make recommendations to policy makers on how to address these issues. The report shall be submitted to the President, the Congress, members of the President’s Cabinet, and the chairs of the appropriate committees of jurisdiction. The Commission shall make the report publicly available online on a centralized Federal website.

SEC. 8. COMMISSION COMPENSATION.

Members of the Commission shall serve on the Commission without compensation.

Mr. HAWLEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered and laid upon the table.

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

Mr. HAWLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ENCOURAGING THE INTERNATIONAL COMMUNITY TO REMAIN COMMITTED TO COLLABORATION AND COORDINATION TO MITIGATE AND PREVENT THE FURTHER SPREAD OF COVID–19

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 579.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 579) encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts to support vaccine development and delivery to address COVID–19 and prevent further deaths, for other purposes.

There being no objection, the motion to discharge the Committee on Foreign Relations from further consideration was agreed to.

Mr. TOOMEY. Mr. President, I ask unanimous consent that Lee-Durbin substitute amendment to the resolution be considered and agreed to; that the resolution, as amended, be agreed to; that the Lee-Durbin amendment to the preamble be considered and agreed to; that the committee, as amended, be agreed to; that the Lee-Durbin amendment to the title be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 1810), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute) Strike all after the resolving clause and insert the following: "That the Senate—" (1) recognizes the historic leadership role of the United States in stemming global health crises in the past; (2) commends the historic achievements of the international community to address global public health threats, such as the development of smallpox vaccines and dramatic progress in reducing cases of polio; (3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19; (4) commends the promising research and development underway to develop COVID–19 diagnostics, therapies, and vaccines within the United States and with support from the Federal government, public-private partnerships, and commercial partners; (5) acknowledges the vast international research enterprise and collaboration under way to study an expanded range of drug and vaccine candidates; (6) recognizes the renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further African deaths; and (7) calls on the United States Government to strengthen collaboration with key partners at the forefront of responding to COVID–19.

The resolution (S. Res. 579), as amended, was agreed to.

The amendment (No. 1811) was agreed to as follows:

(Purpose: To amend the preamble) Strike the preamble and insert the following:

Whereas there is a rich history of coordinated global health collaboration and coordination, dating back to 1851, to strategically and effectively combat deadly diseases of the time, such as the spread of plague; Whereas the United States has long been an active and critical leader in such global public health efforts, providing financial and technical support to multilateral institutions, foreign governments, and nongovernmental organizations; and Whereas international collaboration has led to a number of historic global health achievements, including the eradication of...
smallpox, the reduction of polio cases by 99 percent, the elimination of river blindness, the decline in maternal and child mortality, the recognition of tobacco use as a health hazard, and countless others;

Whereas there has been bipartisan support in the United States to lead efforts to address global health needs, as evidenced by initiatives such as the President’s Emergency Plan for AIDS Relief (PEPFAR) and the President’s Malaria Initiative;

Whereas the United States led the global effort to contain the outbreak in West Africa between 2014 and 2016;

Whereas these bipartisan investments in global health helped not only save countless lives around the world, but also at home in the United States;

Whereas an outbreak of coronavirus disease 2019 (COVID–19) in Wuhan, China was first reported in December 2019, with a global pandemic declaration by the World Health Organization on March 11, 2020;

Whereas, according to the Centers for Disease Control and Prevention, more than 116,000 individuals in the United States are known to have died due to COVID–19 as of June 17, 2020, and a long-term, sustainable solution will require international access to a vaccine;

Whereas the COVID–19 outbreak continues to place extreme pressure on health care systems and supply chains worldwide, impacting international travel, trade, and all other aspects of international exchanges, and requires global effort to respond;

Whereas the interconnectedness of our globalized world means an infectious disease can travel around the world in as little as 36 hours;

Whereas United States Federal departments and agencies have engaged in and supported research and clinical trial efforts to address COVID–19, which may yield potential discoveries related to vaccine candidates;

Whereas domestic and domestically supported vaccine candidates for COVID–19 comprise approximately 40 percent of the current potential COVID–19 vaccine candidates worldwide;

Whereas international collaboration and coordination can help ensure equitable access to safe, effective, and affordable therapeutics and vaccines, thereby saving the lives of Americans and others around the world;

Whereas the Coalition for Epidemic Preparedness Innovations is working to accelerate the development of vaccines against emerging infectious diseases, including COVID–19, and to enable equitable access to these vaccines for people for people during outbreaks;

Whereas the United States hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1.160 billion multi-year commitment; Now, therefore, be it

Resolved. That the Senate—

(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;

(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;

(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccines, and to make ongoing and existing international investments in vaccine development, production, and equitable delivery of COVID–19 vaccines and therapeutics and vaccines, thereby saving the lives of Americans and others around the world;

Whereas, on June 4, 2020, the United Kingdom hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1.160 billion multi-year commitment; Now, therefore, be it

Resolved. That the Senate—

(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;

(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;

(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19;

(4) commends the promising research and development underway for potential COVID–19 diagnostics, therapies, and vaccines within the United States and with support from the Federal government, public–private partnerships, and commercial partners;

(5) acknowledges the vast international research enterprise and collaboration underway to study an expansive range of drug and vaccine candidates;

(6) urges renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery, to address COVID–19 and prevent further American deaths; and

(7) calls on the United States Government to strengthen collaboration with key partners and stakeholders around the world, on the forefront of responding to COVID–19.

Mr. TOOMEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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


HONG KONG AUTONOMY ACT

Mr. HAWLEY. Mr. President, a week ago, I stood in this Chamber and spoke about the death of democracy. I spoke about a few people cruelly losing their basic liberties right in front of our eyes. I spoke about how deeply oppressive regimes are defiling laws and
tearing up treaties that offer protections and peace. I spoke about how the bright light of a great city is descending into darkness and chaos. I spoke about the plight of the people of Hong Kong.

I take this opportunity to remind everyone, both at home and those listening abroad, about the urgent and existential crisis that plagues this outpost of liberty in the Indo-Pacific. On May 28, the Chinese Communist Party in Beijing, through its national security law and resolution, breached one country-two systems principle that has governed that city since 1997. This principle, which Beijing committed to preserving in the 1984 Sino-British Treaty, when they also committed to upholding the basic rights and freedoms of the people of Hong Kong.

Beijing wants to violate all of that now. They want to sweep it aside, and they want to do it through so-called legislation adopted through their fake legislature that would roll back the commitments they have made, roll back the protections and rights of the people of Hong Kong, and snuff out this light in the Indo-Pacific.

Imagine this great city with new restrictions on speech, assembly, and religion, because that is what the Chinese Communist Party wants. They call it a national security law. It doesn’t have anything to do with national security. It has everything to do with squelching the freedom of speech. It has to do with denying the freedom of religion. That is the agenda. That is the substance. That is what Beijing wants, and it is what they are going to do unless the free world, beginning with the Members of this body, stand up and say no.

This body must take action today to support the people of Hong Kong. It must take a stand. It must make it clear to the world that this is not acceptable and that it must not stand, and free peoples the world over must silently acquiesce.

Now, a week ago, I tried to do just that. I asked this body for consent, unanimously, to pass a resolution that would condemn this new dictate from Beijing and emphasize its clear violation of both Hong Kong basic law and the Sino-British joint declaration. This resolution that I am here again today to order, and I order and support by Senators of both parties, will make it clear to everyone that the United States stands with the people of Hong Kong in this their hour of need. It would encourage the administration to take all necessary diplomatic action to stop this new law, to stop this advance against freedom, and it would rally the free nations of the world to support a free city.

That resolution was blocked last week. You know, here in this body, we often have the luxury of time. It seems like that is all we have sometimes. We debate and we wait, and we debate and we wait. The fact is, the people of Hong Kong do not have time, not anymore, and that means the U.S. Senate does not have time. We must act, and we must act today.

This new so-called law that Beijing is intent on forcing through is set to pass now on June 30. That is just 5 days from today. The Senate needs to act now to send a clear signal now that we will stand up to this aggression, to rally free peoples now in defense of the rights of the people of Hong Kong, and to stand up now to protect our own interests and to protect our own needs in the Indo-Pacific, because there is nothing more dangerous to the people of the United States abroad than an imperialist China imposing its will and imposing its way on the entire globe, beginning in the Asia-Pacific and beginning with the free people of Hong Kong.

A chorus of voices from Hong Kong and around the world are calling for the passage of this resolution. They are calling for it because they know it will inspire hope in Hong Kong. They are calling for it because they know it will give pause to the tyrants in Beijing.

Our friends in Hong Kong know that Beijing is watching closely. Beijing is finalizing its national security law even as we speak, and Hongkongers know, as we must, that this could be our last opportunity to stay Beijing’s hand before it destroys what is left of freedom in this city. Beijing must know that its actions have consequences. This resolution today makes clear that Beijing knows that, and that is why so many in Hong Kong are so eager to see it pass and why Beijing is so hopeful that it will fail.

As I said a week ago, the struggle of the free people of Hong Kong is the struggle of all free people everywhere. It is a struggle to stay free from domination. It is a struggle to ensure that Beijing does not extend its imperial power around the globe and its influence to free countries and societies across the globe. Hong Kong is the vanguard, and it is vital that we stand up for it now.

I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 596.

The PRESIDING OFFICER. Is there objection?

Mr. VAN HOLLEN. Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Reserving the right to object, I believe that we may have this worked out so there may not be an objection, but I just want to say a few words before I proceed with this unanimous consent request.

As the gentleman from Missouri said, he was on the floor of the Senate last week proposing a resolution condemning the actions of China with respect to Hong Kong. I said then and I say again now, I fully agree with his assessment.

What the Government of China is doing in Hong Kong is unacceptable. They are taking away the rights of the people in Hong Kong. They are snuffing out the freedoms that exist there right now. Since we were on the floor last week, the Standing Committee of the National People’s Congress reportedly reviewed an initial draft of the national security law, which has not been released. So even in this last week, they are moving forward in their process to take away the liberties of the people of Hong Kong.

This is of the essence. What I said on the floor last week and what I will say again today is that passage of a Senate resolution is not going to deter the actions of the Government of China. It is a statement. It is an important statement. It says to China that the Government of China will be deterred one wit in moving forward on the path that it is on to take away the freedoms of the people of Hong Kong is to not be even paying attention to what is happening in Beijing.

I heard the Senator from Missouri say: “Actions have consequences.” I agree they should. From the perspective of the Government of China passing a Senate resolution as a consequence to their action is hardly going to be taken seriously in Beijing. That is why it is important to actually do something that shows that the Government of China will pay a price if it continues down this path to extinguish the freedoms of the people of Hong Kong.

That is exactly why, right after the Government of China headed down this path, Senator TOOMEY, who is here with us on the floor, and I introduced a piece of legislation that would have consequences, that would actually punish the government of China if it continues down this path to extinguish the freedoms of the people of Hong Kong.

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to have to follow the law, and it is going to have to impose the sanctions on those individuals who are responsible.

I would be remiss or negligent if I didn’t point out that the administration has the authority to impose sanctions against China for its actions in Hong Kong based on legislation that this body passed last year to uphold the rights—the human rights and the democratic rights—of the people of Hong Kong.

So, despite some statements from the Secretary of State, this administration has still taken no action.

Now, this legislation that Senator Toomey and I have proposed—and I really want to thank the Senator and salute him for his leadership on this. We have worked together in the past on sanctions that have been adopted into law with respect to North Korea, and I think it is important that we work on a bipartisan basis to take action that is meaningful here in the Senate.

The administration should act now on their existing authority. The Senate and the House should pass this legislation, the Hong Kong Autonomy Act, as amended, and send it to the White House. The President, we hope, will sign it, and then we hope the President would impose the expanded sanctions that are provided for in the Hong Kong Autonomy Act. That is doing something that demonstrates to the Government of China that consequences have action, and that is why it was discouraging last week when we proposed this and we had a Senator come to the floor and block it.

I agree with the Senator from Missouri—it would have been great to pass this last week—but a Senator came to the floor to block it even though that Senator was a cosponsor of this legislation. When asked why he did it, he said he blocked it at the behest of the White House. That is what he said. I am hoping that is not the case today. I am hoping that today we don’t, at the last minute, have a Senator, at the behest of the White House, coming forward.

Before I make my unanimous consent request, I would like to yield the floor briefly to the Senator from Pennsylvania, who has been a partner in this effort.

The PRESIDING OFFICER (Mrs. Frischmann). The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I am going to just take a quick moment here to thank both my colleague from Missouri and my colleague from Maryland for their leadership on this extremely important issue.

In the interest of time, I will not reiterate the many very, very compelling reasons that we are here on the floor right now. The Senator from Missouri has done an outstanding job eloquently and passionately explaining why it is our responsibility to stand up for the freedom of a freedom-loving people whose freedom is seriously eroded, systematically being damaged, and that is, of course, the people of Hong Kong.

I had the great experience of living in Hong Kong for a year, learning so much about that society, that culture. The vibrancy of Hong Kong is just absolutely stunning. And it is all possible—let’s be clear—because freedom has prevailed in Hong Kong—or at least it used to—freedom of speech, freedom of assembly, freedom to practice their faith as they see fit, an independent judiciary, and all of that is very, very seriously threatened right now by the Chinese Communist Party because their greatest fear is that the people on the mainland will observe the freedoms in Hong Kong and decide that they would like some of those freedoms too. That is the risk that the Chinese Communist leadership cannot tolerate.

I want to commend my colleague from Missouri for putting a spotlight on this, and I want to thank the Senate for the floor to defend the people who seek only their freedom.

I really want to thank my colleague from Maryland. As he pointed out, there have been legislative actions in the past. Nobody works harder to get their objective accomplished than my colleague from Maryland.

Our legislation, which I think is about to pass jointly with the resolution—I think we have to have a unanimous consent agreement whereby both measures pass simultaneously. I think that is the optimal outcome here.

I want to thank the folks at the Department of the Treasury, with whom we worked extensively to get to the point where they are in agreement with this legislation.

I certainly hope that, after this big step of passage here on the Senate floor today, bringing our action, and calling on the Senate to defend the people who seek only their freedom.

Think about what a great country the United States is, of course, the people of Hong Kong.

Mr. VAN HOLLEN. Madam President, in continuing to reserve the right to object, would the Senator from Missouri modify his request to also discharge S. 3798 and consider S. Res. 596 and S. 3798 en bloc; and the substitute to the bill at the desk be agreed to; and the bill, as amended, be read the third time; and that if the resolution is agreed to and if the bill, as amended, is passed by the Senate, that the preamble then be agreed to and all motions to reconsider be considered laid and laid upon the table?

The PRESIDING OFFICER. Does the Senator from Missouri so modify his request?

Mr. HAWLEY. I will.

The PRESIDING OFFICER. Is there an objection to the request as modified?

Without objection, it is so ordered. There being no objection, the Committee on Banking, Housing, and Urban Affairs was discharged, and the Senate proceeded to consider the resolution (S. Res. 596) and the bill (S. 3798) en bloc.

The amendment (No. 1821) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute) Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS. (a) Short Title.—This Act may be cited as the "Hong Kong Autonomy Act".

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 2. Definitions.
Sec. 3. Findings.
Sec. 4. Sense of Congress regarding Hong Kong.
Sec. 5. Identification of foreign persons involved in the erosion of the自由.
Sec. 6. Sanctions with respect to foreign persons that contravene the obligations of China under the Joint Declaration or the Basic Law.
Sec. 7. Sanctions with respect to foreign financial institutions that conduct significant transactions with foreign persons that contravene the obligations of China under the Joint Declaration or the Basic Law.
Sec. 8. Waiver, termination, exceptions, and congressional review process.
Sec. 9. Implementation; penalties.
Sec. 10. Rule of construction.
(7) **HONG KONG.**—The term “Hong Kong” means the Hong Kong Special Administrative Region of the People’s Republic of China.


(9) **KNOWINGLY.**—The term “knowingly,” with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(10) **PERSON.**—The term “person” means an individual or entity.

(11) **UNITED STATES PERSON.**—The term “United States person” means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

**SEC. 3. FINDINGS.**

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, which was passed into the domestic law of China by the National People’s Congress, and are widely considered by citizens of Hong Kong as part of the de facto legal constitution of Hong Kong.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defense affairs which are the responsibilities of the Government.

(5) The obligation specified in Paragraph 3b of the Joint Declaration is referenced, re-inforced, and extrapolated on in several portions of the Basic Law, including Articles 2, 12, 13, 14, and 22.

(6) Article 22 of the Basic Law establishes that “No department of the Central People’s Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region enjoys as its own in accordance with this Law.”.

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the “high degree of autonomy” of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Articles 2, 16, 17, 18, and 22 of the Basic Law, that Hong Kong’s public will be vested with executive, legislative and independent judicial power, including that of final adjudication.

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People’s Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, has imposed a blacklist and not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly censored for candidates in Hong Kong for Chief Executive and Legislative Council;

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, asserted that both the Liaison Office of Hong Kong and the Hong Kong and Macau Affairs Office of the State Council have the right to exercise jurisdiction in Hong Kong.

(D) The National People’s Congress has passed laws requiring Hong Kong to pass laws banning the display of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the “comprehensive jurisdiction” of the Government of China over Hong Kong and indicated that Hong Kong must be governed by “patriots”.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnaping of, residents of Hong Kong, including businessman Xiao Jianhua and bookseller Gui Minhai.

(G) The Government of Hong Kong, acting with the consent of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesperson for the Standing Committee of the National People’s Congress stated, “Whether Hong Kong’s laws are consistent with the Basic Law can only be judged by the Standing Committee of the National People’s Congress Standing Committee. No other authority has the right to make judgments and decisions.”

(10) Paragraph 3e of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the “current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.”.

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (10) of this section, including the following:

(A) In 2004, the National People’s Congress created new, antidemocratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) The decision by the National People’s Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage will be implemented.

(C) The decision by the National People’s Congress on August 31, 2014, which placed limits on the nomination process for the Chief Executive of Hong Kong as a condition for adoption of universal suffrage.

(D) On November 7, 2016, the National People’s Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(E) In 2018, the Government of Hong Kong banned the Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(F) The ways in which the Government of China, at times with the support of a subversive Government of Hong Kong, has acted in contravention of its obligations under the Joint Declaration and the Basic Law, as set forth in this section, are deeply concerning to the people of Hong Kong, the United States, and members of the international community who support the autonomy of Hong Kong.
SEC. 4. SENSE OF CONGRESS REGARDING HONG KONG.

It is the sense of Congress that—

(1) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76; 22 U.S.C. 5701 note), which remain consistent with China’s obligations under the Joint Declaration and the Basic Law; and

(2) the Secretary of State should take steps, in consultation with the appropriate congressional committees and leadership, to reaffirm the United States’ policy toward Hong Kong.

SEC. 5. IDENTIFICATION OF FOREIGN PERSONS INVOLVED IN THE EROSION OF THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION AND THE BASIC LAW AND FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH THOSE PERSONS.

(a) IN GENERAL.—Not later than 90 days after the date of this Act, if the Secretary of State, in consultation with the Treasury, determines that a foreign person has materially contributed to, or attempts to materially contribute to, the contravention of the obligations of China under the Joint Declaration or the Basic Law, the Secretary of State shall—

(1) identify the foreign person; and

(2) make a clear explanation for why the foreign person was identified and a description of the activity that resulted in the identification.

(b) REPORTING REQUIREMENT.—The Secretary of State shall submit to Congress each report with respect to foreign persons identified under subsection (a).

(c) EXCLUSION OF CERTAIN INFORMATION.—(1) IN GENERAL.—Each report submitted under subsection (a) or (b), or an update under subsection (e), if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), “Support for democratization and the Basic Law.”

(d) SANCTIONS.—Not earlier than 30 days and not later than 90 days after the Secretary of State submits to the appropriate congressional committees and leadership the report under subsection (a) or the update under subsection (e), the Secretary of State shall—

(1) impose, or the Basic Law; and

(2) remove a foreign person from the list identified under subsection (a) or (b) (including updates under subsection (e)) if the Attorney General, in coordination, as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), “Support for democratization and the Basic Law.”

(e) UPDATE OF REPORTS.—(1) IN GENERAL.—Each report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), “Support for democratization and the Basic Law.”

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) on the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(f) FORM OF REPORTS.—Each report under subsection (a) or (b) (including updates under subsection (e)) may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law if the person—

(1) takes action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy promised to Hong Kong as a special administrative region.

SEC. 6. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION AND THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—(1) IN GENERAL.—On the date on which a foreign person is included in the report under section 5(a) or an update to that
SEC. 5. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH THE GOVERNMENT OF CHINA.

(a) Imposition of Sanctions.—

(1) INITIAL SANCTIONS.—Not later than one year after the date on which a foreign financial institution is included in the report under section 5(a) or an update to that report under section 5(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) Sanctions Described.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) TEMPORARILY FREEZING THE DEBT INSTRUMENTS.—The President may, pursuant to such regulations as the President may prescribe, prohibit the President may prescribe, prohibit any transfers of credit or payments between financial institution, by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall approve the application of sanctions imposed pursuant to section 4 or 5(b), as the case may be, to a foreign financial institution.

(3) PROHIBITION ON SERVICE AS A REPOSITORY FOR UNITED STATES GOVERNMENT FUNDS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institution, by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(6) ACQUIRING, HOLDING, WITHHOLDING, USING, TRANSFERRING, WITHDRAWING, TRANSPORTING, OR EXPORTING ANY PROPERTY THAT IS SUBJECT TO THE JURISDICTION OF THE UNITED STATES AND WITH RESPECT TO WHICH THE FOREIGN PERSON HAS ANY INTEREST; AND (7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSMISSIONS.—The President, in consultation with the Secretary of Commerce, may restrict or prohibit exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON OWNERSHIP INTEREST IN EQUITY OR DEBT INSTRUMENTS OF THE FOREIGN FINANCIAL INSTITUTION.

(b) Waiver, Termination, Exception, and Transfers.—The President, in consultation with the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall approve the application of sanctions imposed pursuant to section 4 or 5(b), as the case may be, to a foreign financial institution.

(c) Timing of Sanctions.—The President may impose sanctions required under subsection (a) with respect to a financial institution included in the report under section 5(b) or an update to that report under section 5(e) beginning on the day on which the financial institution is included in that report or update.

(d) Exceptions Related to Importation of Goods.—

(1) IN GENERAL.—The authorities and requirements imposed under sections 4 and 5 shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term "good" means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) Congressional Review.—

(1) RESOLUTIONS.—The Act and the sanctions imposed pursuant to this Act shall remain in effect until a termination resolution is enacted under subsection (e) after July 1, 2047.

(2) DISAPPROVAL RESOLUTION.—In this section, the term "disapproval resolution" means only a joint resolution of either House of Congress.

(3) Timing of the Resolution.—The title of which is as follows: "A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person;" and (ii) the sole matter after the resolution clause of which is as follows: "Congress disapproves of the action under section 8 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to China with respect to Hong Kong, or a foreign financial institution
that conducts a significant transaction with that person, on relating to 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A covered resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

(5) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a covered resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(6) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A covered resolution introduced in the Senate shall be—

(I) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China; and

(ii) referred to the Committee on Foreign Relations if the resolution relates to an action that is intended to significantly alter United States foreign policy with regard to China.

(B) REPORTING AND DISCHARGE.—If a committee to which a covered resolution was referred has not reported the resolution within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to take up the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion to debate the motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the consideration of the resolution, and all points of order against the resolution, shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a covered resolution, including all debatable motions and appeals in connection therewith, shall extend to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader of the Senate.

SEC. 10. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as an authorization of military force against China.

The bill was ordered to be engrossed for a third reading and was read the third time.

The question is on adoption of the resolution and passage of the bill, as amended, en bloc.

The bill (S. 3798), as amended, was passed.

The resolution (S. Res. 596), as amended, was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the Record of May 21, 2020, under “Submitted Resolutions.”)
the free people of this Nation and the free people of the world are with you and that we will not sit idly by; that we will stand up; that we will take action; and that your cause for your basic rights, your cause for your basic liberties is as well.

It is a privilege to stand with you as an American and as a Missourian, and it is a privilege to see this work accomplished today on the floor of the Senate. I thank my colleagues. I yield the floor.

The PRESIDING OFFICER. The Senate from Maryland.

Mr. VAN HOLLEN. Madam President, I want to thank the Senator from Missouri for bringing us to the floor last week, for bringing us to the floor this week, and for working with us to make sure that we could make important changes to an important provision that he brought before us today. I agree it is a good day for the Senate. Again, I thank the Senator from Pennsylvania, Mr. Toomey, for his bipartisan work on this. Hopefully we get it to the President’s desk as soon as possible and send a strong message to the Government of China and send a message to the people of Hong Kong that we stand with them.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Continued

The PRESIDING OFFICER. The Senate from Virginia.

UNANIMOUS CONSENT REQUEST

Mr. Kaine. Madam President, before I get to the motion I am going to make, I am going to take just a few minutes to discuss the importance of why this action is so important and the Coronavirus Relief Flexibility for Students and Institutions Act, which is S. 3947.

This has to do with an action that we took as bipartisan colleagues—a most important action, as we did with the CARES Act. The CARES Act included $13.9 billion for higher education emergency relief for institutions to directly support students facing urgent needs related to this pandemic and also to support the institutions as they cope with the effects of COVID-19.

From this amount, about $12.5 billion was provided to all institutions of higher ed, and they had to use half their dollars to award emergency aid to students and half the funds to cover the institutional expenses and needs.

Congress was very careful in crafting this bipartisan provision to provide flexibility so that the institutions could, in our cause as well, make decisions about how to use and reward those funds—both for students and how to use them for institutions. Unfortunately, the Department of Education is not following congressional intent and is including additional restrictions and conditions that are not intended to make these funds more difficult to access by students and by the institutions.

On the institution side, colleges had to quickly transition their programs online, many doing so on a widespread scale for the first time, without the technology capacity and staff training to conduct those classes.

Colleges had to quickly send students living on campus home, bring students home who were studying abroad, clean and sanitize their facilities, and provide refunds to students for room and board charges. They have had to meet greater financial needs and burdens from their students, including housing, food, and childcare costs.

This has resulted in higher costs for colleges at the same time as COVID-19 has led to a sharp reduction in normal revenue streams: fundraising, housing, dining, event space, athletic, bookstore, conferences, and much more—including State funding that has been hurt. These revenue losses are likely to continue to hurt students and tuition revenue as we move forward.

This would come as schools implement costly safety measures for reopening, like testing and PPE distribution. Many institutions have already cut pay and benefits, laid off full-time staff and student employees, and slashed to reorganize academic and athletic programs. This is all in addition to the potential cuts colleges will likely see from state budgets.

I got a letter from the president of one of my community colleges, Dr. John Downey, president of Blue Ridge Community College in Weyers Cave. Here is what he said: “We anticipate devastating lost revenue and state budget reductions, and we have no way, with the possible exception of the CARES Act institutional funds, to offset those losses. The current CARES Act restrictions mean that community college will likely only be able to offset $100,000–$300,000 of additional PPE expenses called up. Without the ability to offset revenue losses looming for FY21, we are concerned that we will be forced to close vital programs and layoff hard-working personnel.”

Moody’s Investors Service has changed their outlook for higher ed to negative, indicating that 5 to 10 percent of institutions—particularly regional public schools and small private colleges—could face significantly intensified financial challenges.

In Virginia, my institution, Sweet Briar College, a small, rural, private college, says the impact is likely to be $10 million. VCU, a large, public university, said it is likely to be $50 million in the next fiscal year.

This is why we acted together as Congress to provide CARES Act funding that could be used for revenue losses experienced by colleges. We didn’t specifically exclude using these dollars for revenue losses, as we did in the State and local government aid fund; we allowed such a use, as we did with the PPP program and the aid to hospitals. But the Department of Education is using a very narrow interpretation of the law and refusing to allow colleges to use money for revenue losses.

On the student side of the equation, 50 percent of the money was to be used for student aid. This is even more concerning. The unauthorized guidance that the DOE has issued outlines that the financial aid for students can only be provided to students who qualify for aid under title IV of the Higher Education Act, which would exclude any student who hadn’t filled out a FAFSA, who has a minor drug conviction, or who is not meeting academic progress requirements. Again, these were not conditions that Congress put on the aid to students. Nowhere in the CARES Act are these restrictions mentioned.

The financial aid director at the University of Virginia wrote my office as follows:

When the CARES Act was signed into law, we, along with many others in the financial aid community, believed that the funding source would be available to provide assistance directly to students in need. Unfortunately, this is not the case.

Colleges have also had to quickly respond to changing definitions of Title IV eligibility and the financial aid community. The unauthorized guidance from the Department of Education means that the CARES Act institutional funds to offset those losses are not available to students. Nowhere in the CARES Act are these restrictions mentioned.

Some students have written. Here is a third-year undergraduate student from Fairfax. I was studying abroad this past semester but had to return home in March. My study-abroad program is unsure whether they are going to be able to refund any of the semester’s worth of that I paid for fees, including housing, meals, tuition. Due to the travel ban, I had to book a ticket home on 1-day’s notice, initially costing me $1,800, but I was able to receive a partial refund.

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in need, letting the institutions decide how to make that determination. Finally, it would better target funds designated for colleges hardest hit by COVID-19.

Colleges and universities are major economic drivers. Placing arbitrary restrictions on them is a challenge at any time—especially now. We should be working together to ensure that the institutions and our students get the help that Congress wanted them to get. Again, my STEM Act doesn't create a new program, and it doesn't cost a penny. All it does is ask the Secretary of Education to simply follow what Congress intended.

Madam President, with that, I would ask unanimous consent that the Health, Education, Labor, and Pension Committee be discharged from further consideration of S. 3947, a bill to amend the provisions relating to the higher education emergency relief fund to clarify the flexibility provided to institutions of higher education and to keep the fund, and that the Senate proceed to its immediate consideration.

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

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, respecting the right to object, I appreciate my colleague's focus on higher education. We both had the same opportunity as Governors to do what we could to drive the cost of tuition down and help make sure all of our students had the opportunity to get jobs.

My goal as Governor of Florida and now as a U.S. Senator is to keep education affordable and obtainable and make sure students are able to get a job when they graduate. I know we all are focused on giving our students every opportunity to succeed. My colleague has not shown how giving a blank-check bailout to higher education institutions helps our students—students who are burdened with mountains of debt from these same 4-year colleges and universities.

The solution is not to give more money to support the bloated bureaucracies of our public and private colleges and universities. And these very institutions continue to raise tuition year after year on our students and their families. That is why I am instead offering my STEM Act, which is a real solution to make higher education more affordable and ensure schools are preparing students for jobs. We made similar reforms in Florida, and our students are getting a world-class education at a price they and their families can afford. My goal is to bring this success to our Nation.

The STEM Act achieves three things:

One, it eliminates all Federal funding for institutions that raise tuition. There is no reason universities should be raising costs on students even one bit. Businesses have to get more productive every year; so should our colleges and universities.

Second, my STEM Act holds colleges and universities accountable for a portion of their students—those that don’t lead to jobs after graduation.

By forcing universities to take more responsibility, they will have more of an incentive to actually prepare students for careers, instead of encouraging mountains of debt and degrees that don’t lead to jobs after graduation.

Third, the STEM Act creates a metric system for accountability to make sure all higher education institutions are doing their most important job—preparing our students for the opportunity to get a great job, build a career, and become more self-sufficient.

Our higher education system doesn’t serve the student, and we need to change that. Our students deserve more than just throwing money at our institutions with no checks and balances.

It is time we get something done to fix the problems in our higher education system and realign incentives. I look forward to working with my colleagues to drive the cost of tuition down and make sure kids get jobs at the end. It is a very difficult job.

I don’t think what we are doing today with Senator Kaine’s proposal is going to help our students get the jobs they need and help keep our tuition down. I don’t think we ought to be giving a blank check to our institutions that raise tuition on our students. We all know the mountains of debt—over $1.7 trillion—which is ridiculous. I think my STEM Act is a solution to help make our higher education system affordable and ensure kids have a future. But, unfortunately, we are not able to do that today. I respectfully object. I look forward to working with Senator Kaine to try to do everything we can to get this tuition down and help our kids get jobs.

The PRESIDING OFFICER. The objection is heard.

The PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT REQUEST

Mr. BROWN. Madam President, for a bit of good news, last year we finally provided certainty to American exporters and their workers by enacting a 7-year reauthorization of the Export-Import Bank’s charter. This is a big victory after years of obstruction by a handful of our Republican colleagues. I know what has happened this Congress. In 2015, during the last debate on reauthorizing the Bank, a small group of opponents, supported by far-right special interests, tried to kill the Bank altogether. When that didn’t work, they decided to block all nominees to Ex-Im’s Board, denying it the quorum needed to approve transactions greater than $10 million. Their obstruction cost us more than 130,000 jobs a year by 2018.

Unfortunately, a few Republicans continue to undermine American manufacturers and our workers by preventing Ex-Im from having a full Board.
of Directors. It is time for the Senate to consider the long delayed nominations of Republican Paul Shmotolokha and Democrat Claudia Slacik.

Today’s economic damage from COVID builds, and Senator McCONNELL, the leader of this body, must once again let us do our jobs and provide additional help for families and communities of small businesses. Ex-Im will be called on—it is more important than ever—to help ensure the survival of our manufacturing base and thousands of small businesses and their workers, not just to do our jobs and provide additional help for families and communities of small businesses. Ex-Im is working to make small business transactions 30 percent of its portfolio, as Congress directed. Senator Reed, the President Trump, testified to the Banking Committee that he wants a full Board because Ex-Im is working to make small business transactions 30 percent of its portfolio, as Congress directed.

Ex-Im has an effective management team under President and Chair Kimberly Reed, but the Bank needs to operate at full capacity during this unprecedented crisis, not missing two of its five members in order to have a quorum. Don’t just take it from me. This shouldn’t be partisan. It is not an ideological question. The Banking Committee chair—my counterpart, the chair of the committee—Mike Crapo, supports filling the Ex-Im Board. The National Association of Manufacturers supports confirming these two particular nominees.

On Tuesday, Ex-Im’s President and Chair, Kimberly Reed, nominated by President Trump, testified to the Banking Committee that she wants a full Board because Ex-Im is working to make small business transactions 30 percent of its portfolio, as Congress directed. Senator Reed said: ‘‘Your job is to put a lot of small businesses on the U.S. Chamber supports it. The National Association of Manufacturers supports confirming these two particular nominees.

Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 128, No. 336, and No. 557; that the nominations be confirmed, en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order on the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate’s action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. TOOMEY. Madam President, reserving the right to object, I think it is worth reminding my colleagues exactly what the Ex-Im Bank is all about. What this is, then, is a Bank by which taxpayers are required to subsidize big corporations. That is what Ex-Im Bank is.

The precise way that it works, though, is to provide the subsidy directly to foreign entities—often state-owned entities, often Chinese state-owned entities—when they buy an American product, when they buy an American export. The Ex-Im Bank is in the business of forcing taxpayers to subsidize foreign, often state-owned, entities buying American products. I object to that activity and so do many of my Republican colleagues.

This is a controversial kind of idea. It is a controversial idea that we would expand the population on the Board because doing so diminishes the likelihood that they might be at a point, at some point in the future, where they would have a quorum.

My own view is that what we ought to be doing is filling the Ex-Im Bank with those who are going to do a good job, who are going to do a good job so that we can sell American exports, and we can sell them over here. We can sell them over there. We can sell them over this way. We can sell them over that way. We can sell them over every way. We can sell them over every country around the world. And, unfortu-

In the meantime, I have asked for improvements in the operations of the Export-Import Bank—operations such as the efficiency of our taxpayer risk and the extent to which it crowds out private financing and other areas. I will say that I appreciate Ex-Im Bank President Reed’s efforts in these areas, but there is a long way to go. There is a long way to go.

You have a period of about 4 years, and during that time, the volume of foreign subsidies is largely comparable to that of our exports, that we need it and that we need it and that we need it. It is interesting because we have a controlled experiment that addresses that question directly. From 2015 through the early part of 2019, the Ex-Im Bank didn’t have a quorum, so it could not legally engage in large-scale transactions. It couldn’t do anything, and they didn’t.

What happened to American exports during the time when the Ex-Im Bank was basically out of business? I will tell you what happened. American exports grew and hit an all-time record high in 2018. That is what happened. The fact is, Americans make great products, and we can sell them overseas without having to subsidize the buyer. Buyers and sellers arranged private financing. There are lots of banks and institutions that are in the business of providing this financing. Taxpayers shouldn’t have to subsidize it. The proof is in the numbers. When Ex-Im Bank was effectively closed, American exports grew and hit an all-time record high.

It is also a fact that when the Ex-Im Bank goes out of business, it subsidizes some, it inevitably does damage to others. There was a case wherein the Ex-Im subsidizes created a competitive advantage for Air India that cost...
jobs at Delta Air Lines because the two competed directly on routes. The Air India route was subsidized by virtue of the Ex-Im subsidy, of its acquisition of planes, and Delta didn't get that subsidy. According to the CEO, who testified before the House, just that one deal cost 1,000 jobs at Delta.

I have a substantive objection here. I have an objection to this institution's mission, and growing its Board is part of advancing that mission. I have to say that this is in contrast to the obstruction we are seeing from our Democratic colleagues with respect to nominees about whom they often have no objection at all.

The fact is, there has been a mission on the part of many of my Democratic colleagues to just block President Trump's nominees just because they are President Trump's. In fact, President Trump's nominees have had to undergo the delaying tactic of the cloture vote—a procedural vote that is designed to just chew up time and prevent us from functioning.

In the first year of his Presidency, there were over 300. That is more than the cumulative number of these delaying tactics for the first terms of his four predecessors, and it continues. In fact, earlier this year alone, we had our Democratic colleagues force this delaying tactic—this cloture vote—on judges, and then they voted for them, some of whom were confirmed unanimously. District Judge Silvia Carreno-Coll was forced to go through the delaying tactic and was then confirmed 96 to 0. There was a cloture vote—a delaying vote—on Robert Anthony Molloy to be a U.S. district judge, who was then confirmed 97 to 0.

There were still 60 reported nominees on the Executive Calendar as of yesterday. There are 13 of these nominations that are over 12 months old, and many of them are nominees about whom there is no objection.

With this case there is an objection. It is a substantive objection to providing a cushion to a quorum of a bank with whose mission I disagree. If people want to go through the process of bringing this to the floor and filling cloture, it can be processed, but this isn't the way to do it.

So I object.

THE PRESIDING OFFICER. Objec-
tion is heard.

The PRESIDENT. Mr. BROWN. Madam President, I am disappointed but not surprised that we are not able to confirm the Ex-Im nominees today. There is great bipartisan support for this agency. We did a long reauthorization that was close to unanimous in its support. It is a place in which we have worked together to create American jobs.

I understand Senator Toomey's discussion about corporate interests. I am a bit surprised by that when this body passed the agreement that supports corporate interests and that costs workers their jobs and when this body passed a huge tax cut for the rich 3 years ago that reduced the corporate tax rate and reduced it even further for companies that shut down production in Shelby or Lima or Akron, OH, and companies moved overseas to get their tax breaks and laid off American workers. I am just disappointed that we couldn't actually move forward.

It is the law of the land to have an Ex-Im Bank. There are two out of five slots that are empty. The President and Chairman of Ex-Im Bank, Kimberly Reed, a Trump appointee, said very strongly that she needs more help, more boots on the ground, because she could create more jobs that way.

Lastly, I was a bit surprised to hear complaints about the Democrats' slow-walking of nominees. I mean, instead of actually doing the people's business here—getting help for unemployed workers and helping people stay in their homes as courts open up and more evictions are on the horizon and as laid off workers and State governments around the country loom—this Senate spends most of its time on confirming judges.

My wife and I watched almost the entire rally in Tulsa. It was the first big Trump campaign rally that big cabal organized or the first purportedly big Trump campaign rally. We watched numbers of my colleagues with no masks in an arena in which public health officials said: Please, don't do that.

I heard the President brag about all of the judges he has gotten confirmed. So when I hear any of my colleagues complain that the Democrats have been obstructionists—have tried to stop Trump nominees—just remember what Senator McConnell did with a legitimately chosen Supreme Court nominee and, equally as important, what this body has done in confirming judge after judge, many of them young and many of them far right and out of the political mainstream. The President's nominees have been confirmed by the Republican majority, and they voted for them, judge after judge, many of them young and many of them far right and out of the political mainstream.

Our colleagues have complained that the Democrats have been obstructionists, which is not true, because when they saw that a permanent ban from the Google Ads platform could lead to loss of revenue from the employees of the Federalist and ZeroHedge from the Google Ads platform after determining that these outlets' comments sections—did you get that? It was their comments sections, which are the areas you go to participate in public debate—contained content that violated company policy.

Well, how about that?

A representative from Google ran to the press and insisted that both outlets had published dangerous, hateful content. It really makes you wonder: What was the real reason for this threat? What was the real reason for the Google representative's breathless accusations to the press?

In my letter, I encouraged Attorney General Barr to meet with representatives from both the Federalist and ZeroHedge so that they could explain firsthand what a permanent ban from the Google Ads platform could lead to in terms of loss of traffic and revenue. Of course, the answer to that inquiry is that a ban would be catastrophic for any outlet, and here is the reason: Guess who dominates online advertising. Google. It is a monopoly. It is called "they control those ad platforms."

This Friday, State attorneys general are meeting with Justice Department officials to discuss this, and if I were Google, I would be a little bit nervous about that. I think it is fair to say that many of these attorneys general have just about had it with some of these online practices.

This particular scandal is interesting because it implicates both antitrust concerns and the section 230 protections that lay out how the Communications Decency Act Act. Lately, we have heard quite a bit about section 230, and we have already discussed at length whether it should be left alone, reformed, or scrapped entirely.

When section 230 was implemented in the early days of the internet, the vision was that it would shield emerging and new technology firms from lawsuits. It would give them the ability to create American jobs. It would give them the ability to participate in public debate—contained content that violated company policy.
We also need to clarify once and for all that section 230 immunity does not apply to actions brought by the Federal Government. But what about those startups, those up-and-coming tech companies that are looking for the next great idea? How will reform look in real time? I am talking about the Facebooks and the Googles of the world?

What can we do is limit liability based on minimum platform user thresholds. We would limit those sections 230 protections with our platforms with fewer than 50 million American users. Just for reference, Google has 259 million American users, Facebook has 221 million, and Twitter has 64 million American users. Under this standard, a user alleging harm would be able to move forward with a lawsuit against a platform only if that platform’s user threshold were above 50 million U.S. users and a court has reasonable grounds to believe that the platform contributed to or agreed to contribute to or re-posted the post or re-tweeted the post or re-acted on it once notified.

These are all simple changes that will rebalance the relationship between online platforms and their customers, and we shouldn’t delay in our implementing them because the internet is more than just a place where we post our status updates or photos of what we had for dinner; the digital revolution fundamentally changed the way we live our lives, consume the news, and interact with corporations, media outlets, and governments.

We can’t afford to let these platforms leverage their own biases to arbitrarily decide who is allowed to speak or what information we are allowed to consume, but we also can’t afford to implement heavy-handed policies that will inevitably collapse the entire industry.

I look forward to the Senate’s continuing its work on this on both the Commerce and Judiciary Committees.

I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk provided the resources to train the officers. The amendment would have contributed to the top Federal enforcement officers to those who disagree.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. HYDE-SMITH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE JUDICIAL AMENDMENT.

Mrs. HYDE-SMITH. Madam President, it is a shame the Senate has been prevented the opportunity to discuss meaningful legislation to strengthen and improve our law enforcement system.

The Senate had an opportunity to implement public safety measures the American people believe are needed and the American people want. Most importantly, the Senate was blocked from working toward helping bind the Nation together.

Safety, and, as we know, due to partisan politics by our Democratic colleagues. It is disappointing that, when given the chance to back up a lot of big talk about reform and change, our colleagues on the other side of the aisle simply walked away. I was under the impression we were all in agreement that the matters addressed in this legislation were, at the very least, worth debating. By refusing to even consider this straightforward bipartisan legislation to protect the American people with irresponsible demands to defund the police and destruction of public property.

My friend and colleague, the junior Senator from South Carolina, worked tirelessly to produce legislation. He and the leadership offered to work with our Democratic colleagues and assure them there would be an open amendment process.

Had we had a chance to proceed, I was prepared to file an amendment that would have gotten the top Federal and State law enforcement officials together from rural and urban areas and developed a best practices curriculum for training incoming law enforcement officials. The amendment would have provided the resources to train the trainers.

This simply illustrated that Members on both sides of the aisle wanted an opportunity to offer meaningful changes to the law but our Democratic colleagues on the other side of the aisle thought that opportunity was worthwhile. I am ready to debate on that and any other amendment should we do the right thing and have an open, purposeful conversation on a very critical issue.

The tragic death of George Floyd in Minneapolis last month exposed an erosion of public confidence in the rule of law and law enforcement practices. There is no doubt in my mind that the vast majority of law enforcement officers, who are very good friends of mine—many of them across the country—do their jobs fairly and justly. However, the bad actions of a few are enough to cause us as elected leaders to consider responsible changes to improve police practices and rebuild public confidence in those we trust with ensuring our public safety.

I encourage my colleagues to reconsider and engage in this debate. It would be a real tragedy not to use this national moment in our history to improve law enforcement through more accountability, transparency, and better training.

Let’s stop looking for ways to divide the American public. Let’s bring people together and work together toward meaningful reform that improves law enforcement, public safety, and the confidence Americans deserve in the rule of law.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Colorado.

70TH ANNIVERSARY OF THE KOREAN WAR.

Mr. GARDNER. Mr. President, I rise today to speak about the Republic of Korea on this June 25, the 70th anniversary of the start of the Korean war.

The Republic of Korea is a longtime ally and partner that resides in one of the most prosperous and one of the
most dangerous parts of the world. When most of us hear about Korea, we instinctively focus on the threat emanating from the bizarre failed state in the north, and we often forget about the incredible successes and stories of success in the region that was made possible largely by the United States-South Korea Alliance.

When I visited the Korean War Memorial in Seoul in July of 2017, I read the names of Americans and Canadians that died answering the call to defend this nation which has never visited a people they never met. I think that, today, we owe it to our fallen soldiers to recognize what the world has gained from their sacrifice.

On June 25, 1950, Kim Il-sung’s army crossed the 38th parallel to invade South Korea. In response, the United States mobilized the international community under the U.N. flag and sent hundreds of thousands of U.S. troops to defend Korea. To this day, thousands of U.S. soldiers remain unaccounted for. Over 1 million Korean civilians perished. Most survivors have never seen or spoken with their families across the border.

The U.S. decision to intervene in that conflict changed the future of Asia. South Korea has blossomed from a war-torn state to an economic powerhouse, a thriving democracy, and, in recent months, a global leader in response to a public health crisis.

South Korea boasts the 12th largest economy in the world and has become a leader in critical future technologies such as telecommunications, electronics, and semiconductors. They managed to do this despite having a population of only 50 million people, few natural resources, and effectively operating as an island restricted to maritime trade.

South Korea's hard-fought transition from authoritarian governments to vibrant democracies took time, it took perseverance, and it took grit, but they did it. It is now a democracy with a highly educated and active civil society that embraces the rule of law and human rights and stands in stark contrast to its authoritarian neighbors in North Korea and China.

As our South Korean ally has grown more prosperous and more capable, it has also taken on an outsized global responsibility. Since the Korean war, South Korea has fought alongside the United States in all four of our major conflicts.

Once a recipient of foreign aid, Seoul is now a worldwide donor of aid. It has become a critical pillar in upholding the postwar order, playing a valuable role in the global nonproliferation regime, global emissions reduction, peacekeeping, cybersecurity, counterterrorism, and postconflict stabilization.

South Korea has also become a key stakeholder in various international organizations, including the United Nations, World Trade Organization, G-20, the Organization for Economic Co-operation and Development, and the Asia-Pacific Economic Cooperative forum, just to name a few.

The alliance has proven to not only be crucial for U.S. economic and national security interests but for our health as well. President Moon of South Korea led a pivotal response to the COVID-19 pandemic. I worked closely with our South Korean allies and the Colorado Governor Jared Polis to obtain hundreds of thousands of COVID-19 testing kits for Colorado, which has helped us tremendously as we get through this ongoing pandemic.

Weeks ago, President Trump invited President Moon of South Korea to the upcoming G-7 meeting. I fully endorse this decision, and at the current juncture, I believe it is time to explore new avenues to broaden cooperation with South Korea on the global stage, including in global health, the environment, energy security, and emerging technologies.

South Korea is situated in one of the most precarious neighborhoods in the world. Koreans have historically explained their geography of being a “shrimp among whales.” Indeed, northeast Asia holds a number of nuclear-capable states, including China, North Korea, and the largest standing armies in the world.

In our alliance, we vow to defend one another from attack, but it often goes unnoted that South Korea bears the frontline burden of this defense. While North Korea has only recently tested an ICBM capable of reaching the continental United States, Seoul has been under the threat of artillery, short-range missiles, an armed invasion for decades. In the shadow of this threat, South Korea has invested considerably in defense, over 2.5 percent of its GDP. It also funded over 90 percent of the costs of Camp Humphreys, what is now the largest overseas U.S. military base in the world. A few of the ways in which South Korea remains a model alliance partner.

Against the backdrop of rising tensions in recent weeks, we should swiftly conclude negotiations on the Special Measures burden-sharing agreement, which would provide strategic stability on the Korean Peninsula and strengthen the U.S.-South Korea alliance.

The United States and South Korea maintain a tightly-integrated combined defense posture that is unique to the world. This demonstrates the immense trust and combined capability between our two militaries. This unique structure makes credible our ability and commitment to meet those threats at a moment’s notice. It also allows us to stand shoulder-to-shoulder as allies and say “kachi kapshida” or “we go together.”

But the alliance faces greater threats today than at any time in the past. Chinese coercion in the Yellow Sea and the East China Sea, as well as mili-

tarization of the South China Sea, have all increased in recent years. As China has grown, its ability to also become more aggres-

sive. We must come together with regional partners to resist this coercive behavior.

Only with a concerted voice can we preserve global norms and international law, and South Korea plays a growing role in upholding this regional order. Our North Korea policy has for decades failed to achieve denuclearization of the Korean Peninsula. However, the U.S.-South Korea alliance has succeeded in deterring Pyongyang, maintaining regional stability, and maintaining conditions for the growth and prosperity of every country in the region, except for Pyongyang.

We stand ready to welcome the people of North Korea into the international community, but this requires Pyongyang to commit to economic reform, to treat its people with dignity, and to refrain from menacing others with weapons of mass destruction. I believe U.S. policy toward North Korea should be straightforward. Until we achieve the denuclearization of North Korea, the United States will deploy every economic, diplomatic, and, if necessary, military tool at our disposal to deter Pyongyang and to protect our allies.

Pyongyang recently exploded the inter-Korean liaison office in Kaesong and began rolling back its commitments under the April 2018 Panmunjom Declaration. Since February 2019, since that summit in Hanoi, Pyongyang has rebuffed working-level negotiations with the U.S.

In March of this year, Kim launched a record number of missiles in a single month and continues to unveil new missile systems that impose novel threats to our allies South Korea and Japan.

Kim Jong Un is showing that he simply doesn’t want diplomatic and economic engagement on the terms offered by the United States and the international community but wants only to deepen his country’s self-isolation and build his weapons programs. The United States must respond with our allies. We must consider restoring military exercises with our partners in Seoul and Tokyo, enhance missile defense, and remain in close consultation to reassure our allies of our commitment to defend them from any aggression or coercion. Kim Jong Un must not underestimate the resolve of the United States to defend our allies.

The North Korean problem also requires the international community to finally join together in fully implementing United Nations sanctions. In this effort, we require greater cooperation from Beijing. China’s cooperation in implementing sanctions will become an integral part of North Korea’s trade, including virtually all of North Korea’s exports. The most recent U.N. Panel of Experts report to the North Korea Sanctions Committee provides clear evidence of illicit ship-to-ship transfers between North Korean and Chinese ships just off the Chinese coast. These blatant violations of sanctions must end now.
In 2016, I led the North Korean Sanctions and Policy Enhancement Act, which passed the Senate by a vote of 96 to 0. The Trump administration has the opportunity to use these authorities to build maximum leverage not only with Pyongyang but also with Beijing and Pyongyang at the expense of the security of our allies. Maintaining robust U.S. alliances in the Asia-Pacific, should be our No. 1 priority. That is why last Congress I authored and passed the Asia Reassurance Initiative Act. ARIA outlines a long-term strategic framework to double down on engagement in the Indo-Pacific, to protect U.S. interests, and to uphold the post-war order that has benefited the United States, its allies, and much of the world over the past 70 years.

Maintaining peace and prosperity on the Korean Peninsula and throughout the Indo-Pacific is an effort that can no longer be and never should be accomplished without our allies, without our friends. That is what makes America so strong.

Today I hope my colleagues in the Chamber will aid me in passing this resolution commemorating those Koreas and Americans who fell in defense of freedom on the Korean Peninsula 70 years ago. There is no greater way to honor their sacrifice than to look back on all that our two peoples have accomplished over the past 70 years and to continue to nurture the steadfast alliance between the United States and South Korea. I urge my colleagues to support the resolution.

I yield the floor.

Mr. GARDNER. Mr. President, I ask unanimous consent that the vote scheduled for 1:30 p.m. begin now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill classed as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the motion to proceed to Calendar No. 483, S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the motion to proceed to S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the motion to proceed to Calendar No. 483, S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

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The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays are mandatory.

The clerk will call the roll.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators would have voted ‘yea.’

The yeas and nays resulted—yeas 90, nays 7.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Arkansas.

WASHINGTON DC ADMISSION ACT

Mr. COTTON. Mr. President, our country faces real challenges today. For example, anti-American mobs are roaming the streets in many cities, tearing down statues of our greatest statesmen, men like Abraham Lincoln, U.S. Grant, and George Washington, after whom this Capital City is named. But the Democrats aren’t doing anything about that problem. Oh, no, on the contrary, the mob is, in many ways, the youth movement of the Democratic Party. So they are perfectly content to look the other way— or even cheer it on. I mean, have you heard Joe Biden, Chuck Schumer, or Nancy Pelosi denounce the mob violence we see on our streets? Me neither.

Instead, the Democrats have found another pressing issue. The House is voting tomorrow on a bill to make Washington, DC, a State. If that sounds insane, you are not alone. More than two-thirds of the American people oppose DC statehood, according to a Gallup poll last summer.

By some estimates, DC statehood is less popular even than defunding the police. So why are the Democrats pushing for it? The answer is simple—power. The Democrats want to make Washington a State because they want two new Democratic Senators in perpetuity.

The Democrats are angry at the American people for refusing to give them total control of the government, for going on a decade now. So they want to give the swamp as many Senators as your State has. They want to make Washington a State to rig the rules of our democracy and try to give the Democratic Party permanent power.

In doing so, the Democrats are committing an act of historical vandalism as grotesque as those committed by Jacobins mobs roaming our streets. In their rush to make Washington a State, they disregard the clear warnings of our Founding Fathers.
If the Democrats succeed in forcing through DC statehood, they will do so only as a narrow faction that scorns the history of our country and seizes power against the will of the people who want Washington to remain what it has been for more than 200 years—a Federal city, our Nation’s Capital.

The District of Columbia is unusual, though not unique, among capitals of the world, in that it didn’t grow naturally over the centuries but was purpose-built as the Capital of our Nation. The Founders created Washington as a Federal city so that the operations of government would be safe and free from domination by the States around it.

James Madison wrote in Federalist 43 that “the indispensable necessity of complete authority at the seat of government, carries its own evidence with it.”

It is so obvious as to be self-evident. Without complete control over its territory, the government “might be insulted and its proceedings interrupted with impunity.”

Hostile magistrates or an angry mob might interfere with the people’s elected representatives or even usurp the government.

Now, this was no abstract concern for the Founders. Just 5 years before Madison wrote those words, several hundred mutinous soldiers assaulted the Congress in Philadelphia, where it met at the time. They issued demands to Congress for money and wantonly pointed their muskets at Independence Hall.

Pennsylvania’s Governor rejected Congress’s pleas for help, saying he would wait until the mob committed some actual outrages on persons or property before sending in the State militia. Congress ultimately had to adjourn and flee to New Jersey while Washington sent in troops to put down the mutiny.

This mutiny was an insult, an interruption of the sort Madison refers to in Federalist 43. The Founders made Washington, DC, independent so that the Federal Government would never again be at the mercy of a mob or a hostile State.

The wisdom of this decision was on display just days ago when violent riots erupted near the White House, setting fire to a historic church and committing other acts of vandalism and destruction. But of course, the riots were contained thanks to an impressive show of force by Federal law enforcement officers under Federal control.

One can only imagine how much worse the destruction would have been if those Federal officers hadn’t been there, if most of Washington were under the control not of the Federal Government but of a leftwing political like Muriel Bowser, who frequently takes the side of rioters against law enforcement.

Would you trust Mayor Bowser to keep Washington safe if she were given the powers of a Governor? Would you trust Marion Berry? More importantly, should we risk the safety of our Capital on such a gamble?

Now, of course, the Democrats will argue that the statehood bill doesn’t entirely eliminate Federal control of Washington. It preserves a small Federal district that encompasses the White House, the Capitol, the Supreme Court, the Library of Congress, the National Mall, and a few other government buildings. What a humble display of grandeur by the Federal city that President Washington and Pierre L’Enfant envisioned more than 200 years ago, which they hoped would rival Paris in size and ambition.

By contrast, look at this ridiculous map. Look at it. The Democrats propose to turn Washington into little more than a gerrymandered government theme park, surrounded on all sides by a new State controlled, of course, by the Democrats.

The Federal Government’s safety and independence cannot be assured by such a laughable district. Again, look at it. It has 90 sides. A mere city block, less than 200 yards, separates the White House from the proposed boundaries of a new State, governed at present by a politician who hates the President. The Supreme Court and several congressional office buildings are right at the edge of the map, separated from the new Democratic State by the width of a single city street. In the event of emergency, like the Philadelphia mutiny of 1783, those narrow boundaries could jeopardize the operations of the Federal Government.

Consider also what is not included in this ridiculous new map of a new Washington, DC. The headquarters of the Department of Homeland Security would be outside the Federal Government’s control, as would be the headquarters of the FBI and the FCC, which governs all communications in the country.

The seat of government would be separated for the first time from its military bases—Fort McNair in Southwest Washington, the marine barracks in Northeast Washington, and Bolling Air Force Base, across the river. Washington’s roughly 200 foreign embassies would no longer be in the Federal district but in the Democrats’ new State, giving it unusual prominence in foreign affairs—precisely the kind of treatment the Founders hoped to avoid by creating a Federal city.

While the proposed Federal District would have access to a single powerplant, undoubtedly it would rely on the Democrats’ new State for many basic utilities—not just power but water, sewage, and telecommunications. It would also rely on the new State, as well as Virginia, for access by land.

The civil servants and officers of the Federal Government would have no choice but to reside in a different State in which they would wholly depend for access to the Federal zone.

These may seem like minor or obscure problems, and, at peaceful times, maybe they are. But recognize the truth: The government of the most powerful Nation in the world wouldn’t have control of critical infrastructure necessary for its own safety, functioning, and independence in a crisis.

Maybe that seems like a remote danger, though one should think better after the riots earlier this month, to say nothing of the Civil War itself, when our seat of government faced imminent danger in encirclement by hostile forces. In fact, the danger was so great that President Lincoln wanted Washington to be enlarged, not diminished, and to include the area south of the Potomac that was retroceded to Virginia in 1846. He said:

The present insurrection shows, I think, that the extension of this District across the Potomac at the time of establishing the capital here was eminently wise, and consequently that the relinquishment of that portion of it which lies within the state of Virginia was unwise and dangerous.

How much more unwise and dangerous would it be to shrink the Federal District even further to just a few buildings in a 90-sided map? But that is exactly what the Democrats propose to do.

Those just are the practical and prudential problems. DC statehood also presents a grave constitutional conundrum. Attorneys General as diverse as Bobby Kennedy and Ed Meese understood that the 23rd amendment, which gives Washington residents a meaningful vote in Presidential elections, the amendment that, on its own terms, “the district constituting the seat of government of the United States.”

But of course, the Democrats’ new State would also be entitled to its own electoral votes. Yet, if the 23rd amendment isn’t repealed, the rump Federal district will retain its three electoral votes.

The practical effect, of course, would be to increase the swamp’s electoral power in Presidential elections.

Even the radical Democrats can’t ignore this thorny problem. Their bill calls for the swift repeal of the 23rd amendment, but they would allow Washington to become a State before the amendment is repealed. But there is little assurance the amendment would actually be repealed. The Constitution has only been amended on 18 occasions in our Nation’s history. It is not a walk in the park in the best of times. Yet the Democrats want you to think they can amend it by themselves to alter the electoral college in the midst of a Presidential election.

In the meantime, DC statehood, along with the 23rd amendment, will lead to absurd consequences. This small Federal district, with three electoral votes, would become a State with no residents. In fact, as far as I can tell, the only residents in the district are right here, in the White House.
If the House passes this bill tomorrow and the Senate were to approve it for the President’s signature, then Donald and Melania Trump need only change their voter registration from Florida to Washington to get their own—three electoral votes. I can’t help but think this isn’t what Nancy Pelosi had in mind.

Even putting aside these practical and constitutional problems with DC statehood, though, we return to a basic truth: Washington is a city with all the characteristics of a city, not a State. Washington doesn’t have the size or diversity of interest of even the smallest of the 50 States.

Consider Washington’s size. At just shy of 70 square miles, DC is 18 times smaller than the smallest State in the union—Rhode Island. But, of course, the Democrats say size doesn’t matter. What matters is population. Washington has just over 700,000 residents—more than Wyoming and Vermont and about the same as Alaska. Doesn’t this qualify Washington as a State? If it did, we would need a lot more States because Washington is just the 20th largest city in the country. If Washington deserves to be a State at 700,000 residents, how much more does New York City deserve to be its own State at 8 million residents? Perhaps Bill de Blasio should trade out his title of mayor for Governor, all the better to battle his nemesis Andrew Cuomo on equal terms. But Let’s not give the Democrats any bright ideas.

What about Jacksonville, FL, at more than 900,000 residents, shouldn’t we have a State of Jackson to accompany the new State of Washington? We all know that will not do. Jacksonville is governed by a Republican, and the Democrats have canceled Andrew Jackson.

Washington also doesn’t have the diversity of interest and financial independence necessary for a well-functioning State. Yes, Wyoming is smaller than Washington by population, but it has 3 times as many workers in mining, logging, and construction, and 10 times as many workers in manufacturing. In other words, Wyoming is a well-rounded, working-class State. A new State of Washington would not be.

What about Alaska? It provides more than 60 percent of the Nation’s seafood, and its vital geography protects the United States from missile defense systems and enables us to check Russian and Chinese ambitions in the Arctic.

But what vital industries would the new State of Washington represent—lobbying, bureaucracy? Give me a break. By far, the largest group of workers in the city are bureaucrats and other white collar professionals. This State would be nothing more than an appendage of the Federal Government, not separate from the government, as the State ought to be.

Faced with these insuperable facts, the Democrats will retreat to the claim that it is not fair for Washington to pay taxes but not be represented in Congress. Washington residents, they say, get a raw deal. “No taxation without representation,” as their license plates proclaim.

But, of course, this is backward. As our capital city, the District of Columbia is represented by the very fact of its privileged position, and it reaps the benefits of that privilege. For every $1 that District residents pay in taxes, they get $4 back in Federal spending. That is more than any of the 50 States.

Nor is Washington unique in its relationship to Congress. Just like other Territories—Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands—Washington has a nonvoting member of Congress who is empowered to introduce legislation, advocate for it on the House floor, and sit on committees. In fact, Washington’s Delegate introduced the very bill that Democrats plan to vote on to create this ridiculous Federal district.

If it is a special indignity for Washington residents not to have a voting Member of Congress, is it also an indignity for the 55,000 American Samoaans? Should the 105,000 Guam Islanders face the same? Once again, though, let’s not give the Democrats any bright ideas. They already want to make Puerto Rico a State.

But all of my observations about the practical effects and constitutional obstacles in the end give too much credit to what the Democrats are really up to—a naked power grab. Democrats in Congress are advocating DC statehood because their goal is to accumulate as much power as possible and never relinquish it.

This week, the mob comes for Washington—his statue, his history, and now his city. We must oppose this destructive campaign in the Senate, just as it is opposed by the majority of American people across the country. I yield the floor.

Mr. CARDIN. Mr. President, this Sunday, we will mark a grim anniversary. On June 28, 2018, a 38-year-old man who held a longtime grudge against the Capital Gazette newspaper in Annapolis, MD, for reporting about him, made good on his sworn threats. He entered the newspaper’s office, headed to the newsroom, and deliberately shot and killed five employees of the community newspaper of record in Annapolis. It is one of the oldest continuously published newspapers in the United States. It traces its roots back to the Maryland Gazette, which began publishing in 1727, and the Capital, which was founded in 1884.

Two years later, the senseless loss of life remains so personal to so many people in Annapolis and around the State that you need to understand that the Capital Gazette is as much a part of the fabric of Annapolis as the State government that it covers better than anyone in the business. Today, it still carries out that mission better than anyone else, with an added priority of covering the gun violence that continues to plague this country and efforts to reduce gun violence and increase public safety.

As I did 2 years ago, I want to take a moment to mourn the loss we lost and to thank the first responders who appeared on the scene literally 60 seconds after the 9–1–1 call. On this day 2 years ago, Anne Arundel County police officers happened to be down the street from the offices when the shooting started. Their location and just response most definitely saved lives.

According to Anne Arundel Police Chief Timothy Altomare, within 2 minutes, the Anne Arundel County Police Department, the Annapolis Police Department, and the Capital Gazette Sheriff’s Office rushed into the offices and into the newsroom and apprehended the gunman.
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State and Federal law enforcement personnel from the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco Firearms, and Explosives and many other agencies quickly arrived to support local officials in their efforts to clear the building and meticulously investigate the scene.

I want to thank, again, Chief Altimore and every one of those law enforcement officers who did their job and contributed to the emergency response. I want to acknowledge, again, the very courageous.

Gerald Fischman, 61, was an editor with more than 25 years of service with the Capital Gazette, well known at the newspaper and throughout the community for his brilliant mind and writing. Most often, it was his voice and his insightfulness that came through on the editorial pages of the Capital Gazette.

Rick Hutzell, the Capital Gazette’s editor, described Fischman as “someone who was committed to protecting our community by telling hard truths.”

Rob Hiaasen, 59, was a columnist, editor, teacher, and storyteller who brought compassion and humor to his commentary. He was a coach and a mentor to many. According to the former Baltimore Sun columnist Susan Reimer, he was “so happy working with young journalists. . . . He wanted to create a newsroom where people cared.”

John McNamara, age 56, was a skilled writer and avid sports fan. He combined these passions in his 24-year career as a sports reporter at the Capital Gazette. Former Capital Gazette sports editor Gerry Jackson, when remembering “Mac,” said:

He could write. He could edit. He could design pages. He was just a jack of all trades and a fantastic person.

Rebecca Smith, age 34, was a newly hired assistant known for her kindness, compassion, and love for her family. A friend of her fiancé described “Becca” as “the absolute most beautiful person” with the “biggest heart” and called her death “a great loss to this world.”

Wendi Winters, age 65, was a talented writer, who built her career as a public relations professional and journalist, well known for her profound reporting on the lives and achievements of people within the community. She was a “proud Navy Mom” and Navy daughter. Wendi saved lives during the attack. She confronted and distracted the gunman, throwing whatever she could find around her at him.

As the newspaper noted:

Wendi did not just protect her friends, but also in defense of her newsroom from a murderous assault. Wendi died protecting freedom of the press.

My heartfelt condolences and prayers go out to the families of these five wonderful people.

The surviving staff members also deserve our continued prayers and praise for their resilience and dedication to their mission as journalists. During and after the attack, staff continued to report by tweet, sharing information to those outside, taking photos and documenting information as they would any other crime scene. Despite their grief, shock, anger, and mourning, the staff, with the help of their sister publication the Baltimore Sun, Capital Gazette alum, and other reporters who wanted to lend a hand to fellow journalists—put out a paper the next morning, as they have done every day since.

The staff fittingly left the editorial page blank the day after the shooting, but for these few words:

‘‘Today, we are speechless. This page is intentionally left blank to commemorate the victims of Thursday’s shootings at our office.’’

The staff promised that on Saturday, the page would return to its steady purpose of offering our readers informed opinion about the world around them, the way they may be better citizens.” And they carried that out.

Our Constitution, which establishes the rule of law in this country, grants us certain rights and responsibilities. Freedom of the press, central to the Framers’ understanding of a very different Constitution, has often been under attack, figuratively speaking, since our Nation’s founding. Today, those attacks have become more frequent, and they are not just figurative anymore. They are physical. These attacks are spurred on by dangerous rhetoric that has created an open season on the media for doing its job—asking questions that need to be investigated, bringing needed transparency to the halls of power, whether they are in Annapolis, Washington, DC, or anywhere in this country.

In 2018, after the shooting at the Capital Gazette, the United States was, for the first time, added to the list of ‘‘the most deadly countries for journalists’’ in an annual report by the group Reporters Without Borders.

President Trump’s rhetoric—calling the media “a stain on America” and the ‘‘enemy of the American people’’—certainly has been harmful. I have said this before and I will keep saying it: The President’s language is dangerous. It has gone beyond the pale, and he needs to stop it.

As Jason Rezaian wrote in the Washington Post after the Capital Gazette shooting, Donald Trump “didn’t create the problem of hostility to journalists, but he exploits and exacerbates it.”

He went on to say:

That’s true, too, of the leaders in other countries who routinely call reporters enemies of the state, terrorists and national security threats. And we must be vigilant to standing up to these empty accusations.

In the United States, physical attacks on media are still a problem. Some members of the Committee to Protect Journalists, an independent nonprofit that promotes freedom globally, actually started a U.S. freedom tracker to show the scope of the problem. So far, in 2020, there have been 107 journalists attacked and 36 arrested in the United States.

Instead of attacking the free press, we need to be honoring it. Toward that end, I have introduced, in 2019, to establish the fallen journalists memorial here in Washington, DC. I am pleased that the Natural Resources Committee ordered the bill to be reported favorably by voice vote. The changes the committee made reflected input from stakeholders including the National Park Service, which supports the bill.

The legislation is bipartisan, non-controversial, and does not impose any additional costs on taxpayers. The memorial will serve as a fitting tribute to the Capital Gazette staff and to all journalists who have died in the line of duty and to our Nation’s commitment to the free press.

My hope is that we will all agree that both the new memorial to honor the fallen victims is appropriate and should be done and should be passed.

As Walter Cronkite remarked, ‘‘Freedom of the press is not just important to democracy, it is democracy. I myself witnessed the absence of a quorum. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, the Senate was prepared yesterday to answer the call of millions of Americans to take action on police reform. The senseless and tragic death of Houston native George Floyd galvanized people of all races and ethnicities to speak out against the injustices in our criminal justice system and to demand action. We tried to take that responsibility seriously.

Senator Tim Scott, our colleague from South Carolina, led the effort to draft a bill that would improve policing practices around the country. That bill, the JUSTICE Act, addressed choke holds and no-knock warrants—two practices which have, for good reason, been brought into question by recent events. This legislation would have ensured that the best trained officers on our police forces would be using body cameras—reporting critical data—and being held accountable for crossing redlines.

We drafted our colleagues across the aisle would have taken this matter seriously as well. They drafted their own version of a reform bill. While there were differences between the two proposals, there was a lot of overlap. In fact, there was more than two bills in common than was different. Both bills, for example, focused on training, transparency, and accountability.
I had hoped that would have meant that we would have been in a good place when it came to trying to reconcile the remaining differences. After all, the Democratic leader had been urging the majority leader to put a police reform bill on the floor by July 4, and that is exactly what we did. When Mr. MCCONNELL made clear that this would be an open debate and that there would be amendments and an opportunity for our Democratic colleagues to work with us in order to make the bill better, they refused to engage in any productive way.

So after promising the American people that they were going to act to reform America’s police departments, they were given the opportunity, but they broke their promise.

As I said, both parties drafted bills, but it is pretty clear there was only one party interested in making a law. Our colleagues on the other side of the aisle find themselves too politically conflicted to work on a bipartisan basis to enact meaningful reforms, so they have chosen to take the low road of obstruction. They have shown they can’t be bothered to pass a bill that would help families like the Floyds who have lost their loved ones in a senseless and completely preventable way. They proved yesterday that this was a purely political calculation—very sad.

Both Democrats and Republicans have said repeatedly over the last few weeks that the status quo was not sustainable and that it is time to change. As I said, both parties drafted bills, but it is pretty clear there was only one party interested in making a law. Unless you can get enough votes to pass a Republican-led Senate, a Democratic-led House, and get the signature of a President, those reforms won’t change the behavior of a single officer. If those solutions only live on the page of a bill or within the borders of a press release, they are not going to accomplish anything.

So I yield, and that our Democratic colleagues weren’t happy starting with the JUSTICE Act, but the temper tantrum we witnessed yesterday isn’t moving us one step closer to achieving the results they claim they want, which is change.

The majority leader has indicated that this body will have another opportunity to vote on whether to begin debating this legislation. Again, this wasn’t about the final bill; this was about the process of determining what that bill would look like. So I hope our colleagues across the aisle will reconsider. I hope they will listen to the millions of Americans who want to see us working together. They want to see action, not cynical political gestures.

Mr. President, turning to another matter and explana fia, the Senate has now moved to consider another critical piece of legislation—the National Defense Authorization Act.

The NDAA, as it is called, represents one of the most basic duties of the Federal Government is to provide for the common defense. The National Defense Authorization Act is how we ensure that critical Department of Defense programs are continued, that American servicemembers are paid, and that our national defense is modernized to keep pace with the rapidly evolving threat landscape.

All of us have understood the importance of passing the NDAA each year, which is why, for the last 59 years, we have done it.

I hope Members of this body are committed to continuing that tradition because as our Nation battles on so many different fronts, we cannot afford to let our military readiness slip.

One of my top priorities is to make sure our men and women in uniform have the support they need and the training they need on and off the battlefield.

The defense authorization bill builds on the progress we have made to implement the national defense strategy and ensure that our military is prepared to counter the threats we face today and those that we know will confront us tomorrow. It goes a long way to maintain our technological advantage, to modernize our weapons, to build resilience, and to strengthen our alliances.

America’s 2.1 million servicemembers have made a commitment that few are willing to make and joined the ranks of America’s heroes who have defended our country throughout our history. Roughly 225,000 of them call Texas home, in places like Fort Hood, Fort Bliss, Lackland Air Force Base, Naval Air Station Corpus Christi, and Ellington Field, just to name a few. Those Texans—those Americans—carry out missions that are crucial to our national security, protecting us from increasingly complex threats.

We have a responsibility to provide our troops with the training, equipment, and resources they need so they can complete their critical missions and return home safely. After all, these men and women are much more than dedicated and talented servicemembers; they are our sons and daughters, our parents, our spouses, and our family members.

While we are providing them the resources they need to succeed, we need to support those military families. This legislation includes a 3 percent pay raise for our troops, additional support for the family members, such as military spouse employment opportunities, and childcare.

Earlier this month, the Senate Armed Services Committee completed its markup and voted overwhelmingly to send this bill to the Senate floor.

As we begin consideration of the defense authorization bill, I want to thank all of the men and women who serve in our U.S. military and ensure them that we will do everything we can to support them and ensure they are empowered and mission-ready.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, if there was ever a moment in American history to fundamentally alter our national priorities, now is the time.

Whether it is fighting against systemic racism and police brutality, transforming our energy system away from fossil fuel, ending a cruel and dysfunctional healthcare system, or addressing the grotesque levels of income and wealth inequality in our country, now is the time for real change.

When we talk about real change, it is incredible to me the degree to which Congress continues to ignore our $760 billion defense budget, which has gone up by over $100 billion since Trump has been in office.

Year after year, Democrats and Republicans—who disagree on almost everything—come together with minimal debate to support an exploding Pentagon budget, which is now higher than the next 11 countries combined—now higher than the next 11 countries combined—and which represents more than half of our discretionary spending. Incredibly, after adjusting for inflation, we are now spending more on the military than we did during the height of the Cold War, when we faced a major adversary in the Soviet Union, or during the wars in Vietnam and Korea.

This extraordinary level of military spending comes at a time when the Department of Defense is the only agency of our Federal Government that has not been able to pass an independent audit, when defense contractors are making enormous profits, while paying their CEOs exorbitant compensation packages, and when the so-called War on Terror will end up costing us some $6 trillion.

I believe this is a moment in history where it would be a very good idea for all of my colleagues and the American people to remember what former Republican President Dwight D. Eisenhower said in 1953. As we recall, Eisenhower was a four-star general who led the Allied Forces to victory in Europe during World War II. He knew something about war and defense spending.

Eisenhower said, and I think this is the most important statement we should never forget—Eisenhower said:

Every gun that is made, every warship launched, every rocket fired, represents not theible of its workers, the genius of its scientists, the hopes of its children.
Dwight D. Eisenhower.

What Eisenhower said was profoundly true 67 years ago, and it is profoundly true today.

If the horrific pandemic we are now experiencing has taught us anything, it is that our national security is not just about building bombs, missiles, jet fighters, tanks, submarines, nuclear warheads, and other weapons of mass destruction; national security also means doing everything we can to improve the lives of our people, many of whom have been abandoned by our government decade after decade.

In order to begin the process of transforming our national priorities, I have filed an amendment to the National Defense Authorization Act with Senator MARKEY of Massachusetts to reduce the military budget by 10 percent and to use the $74 billion in savings to invest in distressed communities all across our country—communities that have been ravaged by extreme poverty, mass unemployment, deindustrialization, and decades of neglect.

At a time when more Americans have died from the coronavirus than were killed fighting in World War I; when over 30 million Americans have lost their jobs over the past 30 months—30 million; when tens of millions of Americans are in danger of being evicted from their apartments or their homes because they no longer have adequate income; when education in America—from childcare to graduate school—is in desperate need of reform; when half a million Americans are homeless tonight; and when close to 100 million of our people are either uninsured or underinsured, now is the time to invest in our people—in jobs, education, housing, healthcare here at home—not more military spending for an already bloated military budget. Now is the time to get our priorities right.

Under this amendment, distressed communities in every State in our country would be able to use this $74 billion in funding to create jobs by building affordable housing desperately needed in our country, by investing in schools when school budgets all over America are in desperate shape, investing in childcare facilities, community health centers, public hospitals, libraries, sustainable energy projects, and clean drinking water facilities.

These communities will also receive Federal funding to hire more public school teachers, provide nutritious meals to our children, and offer free tuition at public colleges, universities, or trade schools.

Mr. President, at this pivotal moment in American history, we have to rethink our Nation’s priorities, and we have to make a fundamental decision about who we are as a people.

Do we really want to spend billions more on endless wars in the Middle East, or do we want to provide good-paying jobs to millions of Americans at home as we rebuild our communities? Do we want to spend more money on nuclear weapons, or do we want to invest in childcare and healthcare for the American people who need it the most?

When we take a close look at the Defense Department budget—I am sorry to say that I don’t think we are doing that anywhere in the Senate—I am even more exercises to note that Congress has appropriated so much money for the Defense Department that the Pentagon literally does not know what to do with it. Children go hungry in America, people sleep out on the streets, young people cannot afford college, but at the enormous amount of waste, cost overruns, fraud, and at the financial mismanagement that has plagued the Department of Defense for decades.

Let’s be clear. About half of the Pentagon’s budget goes directly into the hands of private contractors, not our troops. And I think I share the view with every Member of the Senate that we must protect our troops. I don’t want troops and their families on food stamps. I don’t want our military living in inadequate housing or lacking childcare for their kids. We must make sure that our men and women in the Armed Forces have as good a quality of life as we can provide. But let’s again not forget that about half of the Pentagon’s budget goes directly into the hands of private contractors, not the troops.

Over the past two decades, virtually every major defense contractor in the United States has paid millions of dollars in fines and settlements for misconduct and fraud, all while making huge profits on those government contracts.

Since 1995, Boeing, Lockheed Martin, and United Technology—some of the major defense contractors in America—have paid over $3 billion in fines or related settlements for fraud or misconduct—over $3 billion in fines or related settlements for fraud or misconduct, and in some cases delivers less than expected, and in some cases delivers less capability to the warfighter.

The Commission on Wartime Contracting in Iraq and Afghanistan concluded in 2011, and $31 to $60 billion. Separately, in 2015, the Special Inspector General for Afghanistan Reconstruction reported that the Pentagon could not account for $45 billion in funding for reconstruction projects. It just got lost. A few bucks here, a few bucks there? No, $45 billion of taxpayer money was lost and cannot be accounted for. More recently, an audit conducted by Ernst & Young for the Defense Logistics Agency found that the DOD could not properly account for some $800 million in construction projects. That is what happens when you have a huge agency that is truly unaccountable.

I believe in a strong military, but we cannot keep giving more money to the Pentagon than it needs when millions of children in our country are food insecure, when 140 million Americans cannot afford the basic necessities of life without going into debt, throwing billions into the Pentagon and a few blocks away from here, in the Nation’s Capital, people are sleeping out in the streets, children receiving over 90 percent of their revenue from the Federal Government. Yes, they are private corporations, but they are essentially subsidiaries of the Federal Government. They are receiving over 90 percent of their funding from the taxpayers of this country, they are paying their CEOs over 100 times more than the Secretary of Defense makes. And the Secretary of Defense does just fine, but the CEOs, on average, earn close to 100 times more than the Secretary of Defense. It is not, therefore, very surprising to learn that we have a revolving door where our generals and admirals and other officials in the military leave government service and then end up on the boards of directors of these major defense companies.

Moreover, as the GAO has told us, there are massive, massive cost overruns. The Pentagon’s acquisition budget that the U.S. Congress must address. According to the GAO, the Pentagon’s $1.8 trillion acquisition portfolio currently suffers from more than $628 billion in cost overruns, with millions of the costs taking place after production.

In other words, they tell the government—they tell the DOD that they will produce a weapons system for X dollars. It doesn’t mean much because the total amount ends up being Y after they get the contract.

The GAO tells us also that “many DOD programs fall short of costs, schedule and performance expectations, meaning the DOD pays more than anticipated, can buy less than expected, and in some cases delivers less capability to the warfighter.”

And the Commission on Wartime Contracting in Iraq and Afghanistan concluded in 2011, and $31 to $60 billion. Separately, in 2015, the Special Inspector General for Afghanistan Reconstruction reported that the Pentagon could not account for $45 billion in funding for reconstruction projects. It just got lost. A few bucks here, a few bucks there? No, $45 billion of taxpayer money was lost and cannot be accounted for. More recently, an audit conducted by Ernst & Young for the Defense Logistics Agency found that the DOD could not properly account for some $800 million in construction projects. That is what happens when you have a huge agency that is truly unaccountable.
can’t find a decent education, and young people can’t afford to go to college.

In 1967, Dr. Martin Luther King, Jr., warned us that “a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.”

Let me repeat that.

Dr. King said that “a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.”

The time is long overdue for the U.S. Senate to listen to what Dr. King said. At a time when, in the richest country in the history of the world, half of our people are struggling paycheck-to-paycheck; when over 40 million Americans are living in poverty; and when over 500,000 Americans are homeless, to quote Dr. King, we are approaching spiritual death.

At a time when we have the highest rate of childhood poverty of almost every major country on Earth and when millions of Americans are in danger of going hungry, we are approaching spiritual death.

At a time when over 60,000 Americans die unnecessarily every year because they can’t afford to go to a doctor when they need to go to a doctor and when one out of five Americans cannot afford the prescription drugs their doctors prescribe, yes, we are approaching spiritual death.

Now, at this moment of unprecedented national crisis, it is time to rethink what we value as a society and to fundamentally transform our national priorities. The status quo is no longer good enough. Now, at this moment of national crises, a growing pandemic and economic meltdown, the demand to end systemic racism and police brutality, and an unstable President, it is time for us to truly focus on what we value as a society and to fundamentally transform our national priorities.

Cutting the military budget by 10 percent and investing that money in human needs is a modest way to begin to rethink what we value as a society and to fundamentally transform our national priorities.

The weather has been glorious in many areas—sunny in a lot of places, rainy in others. We have a very big State. The summer solstice is just a few days behind us. That is the longest day of the year and a huge day in Alaska—midnight Sun, energy. It is great being in Alaska right now.

Most of the State has opened up with precautions, of course, in place, given the pandemic. More and more people are getting out. The salmon are certainly running, beginning to run up our rivers. The bears are fully woke—maybe not woke in that sense, but they are awake.

I was home last week in Fairbanks celebrating the amazing life of my mother-in-law, Mary Jane Fate, whom our family put to rest. She was one of the elders who recently passed away, and we had a beautiful, moving ceremony, talking about this trailblazing woman.

I can’t wait to get back home—get back home to Fairbanks in particular, the Golden Heart City, where Officer Welborn has spent his entire career protecting and defending.

As you know, much attention has been spent on our Nation’s police forces in recent weeks, but there hasn’t been a time in my view, drawn to what it actually means to be a police officer—not an easy job—and to be a good police officer—a critically important job—which the vast majority of police officers—certainly in Alaska but I would say across America—are, good police officers who put their lives on the line every day for us, and Alaskans and Americans should be grateful that they do that.

Sometimes this person has made big headlines back home, maybe even across the country, and throughout the State, people know them. But oftentimes—and one of the reasons we started this morning lies many years ago—this is a person who has worked more behind the scenes day in, day out, year in, year out, doing the kind of public service that is so vital to the health and well-being of our communities throughout Alaska, throughout America, but is not always recognized and certainly not recognized enough.

Our Alaskan of the week, Fairbanks police officer Daniel Welborn, is one of those people. We met him from the Fairbanks Police Force after 26 years—more than a quarter of a century—and is one of those everyday heroes who we think are important to highlight as an Alaskan of the Week and as an American helping his fellow Alaskan and Americans.

Before I get into Officer Welborn’s story, let me tell you a little bit about what is going on in Alaska right now.

As you know, much attention has been spent on our Nation’s police forces in recent weeks, but there hasn’t been a time in my view, drawn to what it actually means to be a police officer—not an easy job—and to be a good police officer—a critically important job—which the vast majority of police officers—certainly in Alaska but I would say across America—are, good police officers who put their lives on the line every day for us, and Alaskans and Americans should be grateful that they do that.

As I have said many times before at police recruitment seminars back home, every job in every State is important, but there is something special, noble, even sacred about a job that entails protecting others and being willing to put your life on the line to keep your fellow citizens safe.

So let me talk about a good police officer, one of many in my State. Dan Welborn and his large Catholic family of seven brothers and sisters moved to Fairbanks in 1988. Dan’s father was in the Army, which, of course, draws a lot of people to the Golden Heart City of Fairbanks and to the great State of Alaska. We have more veterans per capita than any State in the country. By his father and mother and probably, I am sure, a bunch of his siblings, he was taught discipline and respect and the importance of giving back to his community.

Dan graduated from West Valley High in Fairbanks and then went on to the University of Alaska at Fairbanks—UAF, as we call it. As a student, he began working with the campus police, which piqued his interest in law enforcement as a career and led him to put himself through a law enforcement academy in Alaska.

Eventually, newly married and considering starting a family, Dan got a job at the Fairbanks Police Department, and that is the job he has kept for 26 years, and he has done it very well. He has done nearly every job there is to do on the force. Traffic duty, patrol, oversight of investigations, homicides, sexual assaults, fraud, forgery, computer and internet crimes—any you name it, Dan’s done it. He helped build a property crimes unit in Fairbanks.

He wrote dozens and dozens of grants to help the department get the equipment it needed so they can keep up with times.

His awards are extensive. I was looking at his record. It is very impressive—Officer of the Year, numerous service awards and ribbons.

His community service is also extensive—and just being a police officer—serving on the board of Mothers Against Drunk Driving, starting a project called Operation Glow in Fairbanks, which helps keep kids safe on Halloween when they are out trick-or-treating.

In 2016, Officer Welborn was promoted to deputy chief of police where, again, he excelled. He is known throughout the State for his solid decisionmaking, his even temperament, the good way that he has with people. He is judicious and stern when needed, but always kind, considerate, and respectful, which is what we want in our police force.

Service also runs in Dan’s family. I love this part of his life. His brother Doug is also a Fairbanks police officer, and his son Brett was sworn in as a Fairbanks police officer on May 20, a month ago. Wow. That is a family of service.

What he tells his son Brett is this:

It’s important that you understand defensive tactics. (This is not always easy work.) But the most important thing is your people skills. You need to be able to sympathize with people, and take charge if you need to. And if you need to take charge and you get someone under control, you must treat them with professionalism and respect. It’s a hard thing to remember [sometimes], but it’s the most critical thing to remember.

That is Officer Welborn. That is sage wisdom.

Now, I hear that Dan will be moving to St. Louis to be close to his beloved baseball team, the Cardinals. He will miss the community, his job, and his
family. By the way, his sister Patty wrote this great letter to me, which I read all about his community service.

Boy, Dan, your sister thinks you are amazing. We hope that you will come back. Actually, we are pretty confident you are going to come back to Alaska because we want you to come back. You are not done serving our community.

We know this: Officer Welborn will certainly be missed, and he will miss being a patrol officer. He loved working the traffic beat because of all the people he got to meet and all the times he got to help people on the road. Of course, there are things about the job he won't miss. I am not sure this is talked about enough, images that will likely stick with him and images that, unfortunately, haunt many police officers across the country because the fact of the matter is, people can be difficult. People can be brutal to each other, domestic violence and child abuse. The police see it all. It is not easy, and he has witnessed way too much of that brutality, and he has protected Fairbanks’ citizens from a lot of it.

Here is what he also knows: Mostly, the vast majority of people are good, and that is so important to remember. Alaskans are good people. Americans are good people. He has witnessed that, too, and he has contributed to that goodness.

He recently told a story about a time at the department that will stay with him. He talked about attending a wedding at a hotel. There was a man there setting tables and working at the hotel. He looked at Officer Welborn and said, “Officer, can I talk to you for a minute?” He said, “Sure.” This man went up to Officer Welborn and said:

Officer, you probably don’t remember me, but you arrested me years ago for a DUI. I was having problems then, and I’ve turned my life around since then. All these years later, Officer Welborn, I still remember how well you treated me.

Think about that. Those are the kind of good memories that will stay with Dan too. So, thank you, Officer Welborn, for all you have done for our community and the great city of Fairbanks. Thanks for your service to Alaskans and the great city of Fairbanks.

Congratulations on being our Alaskan of the Week.

I yield the floor.

(Mr. SULLIVAN assumed the Chair.)

The PRESIDING OFFICER (Mr. SCOTT of Florida). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Committee on Commerce be discharged from further consideration of PN1674; that the Senate proceed to its consideration; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, and that the President be immediately notified of the Senate’s action and that the Senate then resume legislative session.

The nomination considered and confirmed is as follows:

PN1674—COAST GUARD

The following named officers for appointment in the United States Coast Guard to the grade indicated under Title 14 U.S.C., sec. 2121(e):

To be captain

ERIN N. ADLER
BRADFORD E. APITZ
WILLIAM L. ARRITT
MATTHEW J. BAER
JONATHAN BATES
KRISTI L. BERNSTEIN
MARK BRANDT
VERONICA A. BRECHT
JASON A. BRENNELL
RANDALL E. BROWN
JONATHAN A. BUTTER
MICHAEL A. CILENTI
DANIEL H. COST
CHRISTOPHER F. COUTU
THOMAS D. CRANE
PATRICK A. CULVER
THOMAS C. DARCY
CARMEN S. DEGEORGE
KELLY K. DENNING
JOSE E. DIAZ
KEITH M. DONOHUE
ERIC D. DREY
DAVID M. DUGAY
JEFFREY T. ELDRIIDGE
BRIAN C. ERICKSON
SEAN C. FAHEY
JOSHUA W. FANT
AMY E. FLORENTINO
BENJAMIN M. GOLIGHTLY
JEFFREY R. GRAHAM
JASON B. GRAY
MATTHEW W. HAMMOND
SIAN P. HANIGAN
JONHENRY
EDWARD J. BERNAEZ
WESLEY H. HESTER
TEDD B. HUTLEY
MICHAEL S. JACKSON
ANDREW S. JARIA
ERIC J. JONES
WARREN D. JUDGE
DANIEL P. KEANE
BRAHD W. KELLY
DIRK L. KRAUSE
BRIAN C. CRAUTLER
MARK I. KUPERMAN
MICHAEL E. LACHOWICZ
TAYLOR Q. LAM
LEANNE M. LUSK
BENJAMIN J. MAULE
LEON MCCLAIN JR.
EUGENE D. MCGUINNESS
ZIETA MERCHANT
JOSEPH E. MEUSE
JOSHUA P. MILLER
MATTHEW J. MOORLAG
STEPHANIE A. MORRISON
MAURICE D. MURPHY
BRYAN C. PAPE
JOSE PEREZ
SHANNON M. PITTS
ROBERT H. POTTER JR.
SCOTT B. POWERS
CLINTON J. PRINDLE
ARTHUR L. RAY

RYAN S. RHODES
LUIS J. RODRIGUEZ
RICHARD M. SCOTT
MICHAEL R. SINCLAIR
JENNIFER A. STOCKWELL
JOHN M. STONE
TODD C. TROGDAN
R. URSDO
DANIEL R. WARRI
CHARLES E. WEBB
MOLLY A. WIKE
ERIN E. WILLIAMS
WILLIAM C. WOOTER
CHRISTOPHER G. WOLFE
MARC A. ZLOMEK

LEGISLATIVE SESSION

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

MORNING BUSINESS

CORONAVIRUS

Mr. DURBIN. Mr. President, are we now several months into a global pandemic that has caused terrible human and economic suffering.

Here in the United States alone, more than 2.3 million Americans have been infected, and more than 120,000 have died.

That is more Americans killed in the Korean, Vietnam, Afghanistan, and Iraq wars combined and more than those killed in one of our most deadly wars, World War I.

I recently spoke with Melinda Gates about the foundation she and her husband Bill established and its efforts regarding the coronavirus pandemic.

Bill warned years ago to prepare for just this kind of pandemic, including directly with Donald Trump just before taking office.

Not surprisingly, their foundation has provided millions to global efforts to find a vaccine and treatment for the coronavirus.

One such event was an EU-hosted virtual conference in May with many of our key allies that raised more than $8 billion to be spent over 2 years to further promising vaccine and treatment efforts.

The EU and Norway each gave $1 billion; the French, Germans, and Brits combined also gave nearly $1 billion; the Canadians pledged $850 million; the Swiss $400 million, and the Dutch, $200 million. Japan and others also made sizeable pledges.

The Gates Foundation gave $125 million, with Melinda wisely telling the gathering, “This virus doesn’t care what nationality you are . . . As long as the virus is somewhere, it’s everywhere.”

And what was the contribution of the United States? Nothing.

The U.S. Government under President Trump didn’t participate in this shared effort that could help save American lives.

But that is not all. On this 40th anniversary of the World Health Organization’s historic achievement to eradicate smallpox, President Trump also...
withdrew the United States and suspended U.S. funding from this key global health organization.

That is right, amid a deadly, worldwide pandemic with devastating impacts on the American people, President Trump decided this was the time to walk away from the body heading a global response.

I cannot think of more counterproductive, ill-informed, and petty decisions when it comes to addressing this pandemic.

Twice in the last 2 months, I came to the floor to ask consent on a simple and timely resolution sponsored by nearly half of this Chamber’s Members. It urged increased American participation in these global coronavirus vaccine and treatment efforts.

After all, we don’t know where a vaccine or effective treatment may ultimately be discovered. With so much medical and scientific knowledge, it may be here in the United States. I hope so.

But why not team up with our allies on joint programs that maximize and speed the timelines of success? Do we really want the American people left out of such efforts?

For example, today there are more than 100 coronavirus vaccine candidates in development worldwide. The United States launched Operation Warp Speed to focus on 14 of them, including promising ones like those from Oxford-AstraZeneca and Moderna.

We are proud to have some of the world’s best researchers and experts—from our leading universities to private industry—but it is quite plausible the safest and most effective vaccine will be developed in Germany, China, or elsewhere.

But when the United States pursues a go-it-alone approach while the rest of the world is working together, where will that leave us?

Look no further than the worldwide demand and competition we faced accessing PPE. The supply chains for vaccine products like glass vials, stoppers, and syringes will demand global cooperation.

Just ask NIH’s Drs. Fauci and Collins, who said, “The ability to manufacture hundreds of millions to billions of doses of vaccine requires the vaccine-manufacturing capacity of the entire world.”

But ultimately it is simple math. Most of the vaccine candidates currently in human trials have not originated in the United States, joining global efforts makes sense and is the point of my resolution.

Sadly, the majority objected both times.

Therefore, I am pleased to announce that this week, the House of Representatives will vote on the override of President Trump’s veto of my resolution overturning Education Secretary Betsy DeVos’s borrower defense rule.

Congress passed the resolution on a bipartisan basis in both Chambers. Ten Republicans joined Democrats to overturn the rule in the Senate.

Unfortunately, in just the eighth veto of his Presidency, President Trump rejected the measure.

Unless Congress overrides his veto— with a two-thirds vote in both the House and the Senate—the DeVos borrower defense rule will take effect.

It means that borrowers who are defrauded by their schools will have almost no chance of getting their Federal student loans forgiven.

Estimates show that only 3 percent of all student loans associated with school misconduct and fraud will be forgiven under the DeVos rule.

That is because it places unreasonable new burdens on defrauded borrowers.

First, the DeVos rule eliminates all group relief. It makes every individual borrower who is defrauded gather and submit their own evidence instead of being able to apply as a group when they have experienced similar misconduct.

To prove their claims, borrowers must provide evidence that the school intended to deceive them, had knowledge of the deception, or acted with reckless disregard for the truth.

How are defrauded borrowers supposed to prove this?

In addition, borrowers under the DeVos rule are required to show financial harm above and beyond the fact that they now carry huge amounts of debt as a result of their experience.

They have to prove that they have been trying to find a job, weren’t fired, or didn’t fail to meet other employment standards. It is unfair and excessive.

Who are these borrowers who are being defrauded? More than 318,000 students from 30 states have applied for borrower defense relief from the Department of Education.

They come from every State in the Union. Sadly, many of them are veterans. That is why more than 30 veteran organizations, including the American Legion, called on President Trump to sign our resolution to overturn this terrible rule.

In his statement “imploring” Trump to sign, American Legion National Commander James “Bill” Oxford said: “Student veterans are a tempting target for . . . for-profit schools to mislead with deceptive promises while offering degrees and certificates of little-to-no value. Under [the DeVos rule], it is nearly impossible for veterans to successfully use a borrower defense [to have their loans forgiven when they’ve been defrauded].”

Unfortunately, just days after Memorial Day, President Trump ignored the pleas of veterans and vetoed the resolution.

This issue isn’t going away anytime soon.

More students are going to be defrauded by for-profit colleges and are going to be left high and dry by the DeVos rule—unless Congress votes to override Trump’s veto.

The Department of Education estimates that nearly 200,000 borrowers will be subject to illegal practices by their schools next year alone.

Those estimates were before the current pandemic, which creates a new opportunity for predatory for-profit schools to take advantage of students.

Last week, a New York Times article entitled “For-Profit Colleges, Long Troubled, See Surge Amid Pandemic.”

The article notes how the industry saw a similar surge during the 2008 financial crisis when Americans were losing jobs and turning to flexible, highly advertised, for-profit college programs to continue their education in an attempt to make themselves more marketable to employers.

Unfortunately, these programs are too often of dubious quality, the promises they make are often false, and the cost leaves students buried in debt.

For-profit college stocks are beginning to see increases as investors smell the opportunity.

The CEO of for-profit American Public Education, Inc., which owns American Public University and American Military University, put it plainly when she said, “The pandemic has created an unexpected opportunity.”

Predatory for-profit Ashford University is hiring hundreds of new recruiters to take advantage.

We are seeing these for-profit schools use the same tactics they developed during the last recession.

Only this time, if the DeVos rule goes into effect, these defrauded borrowers will be stuck with crippling student debt for a worthless degree for the rest of their lives.

I ask unanimous consent that the New York Times article to which I referred to be printed in the RECORD following my remarks.

We urge Republicans and Democrats to come together, stand with students and veterans, and vote to override the President’s veto.

How many of us have given speeches about how much we support our military and veterans?

Well, tomorrow is the time to prove it by voting to override the President’s veto and overturning the DeVos borrower defense rule.
There being no objection, the material order was ordered to be printed in the RECORD, as follows:

(FROM THE NEW YORK TIMES, JUNE 17, 2020)

FOR-PROFIT COLLEGES, LONG TROUBLED, SEE SURGE AMID PANDEMIC
(By Sarah Butrymovicz and Meredith Berman)

In March, as colleges and universities shuttered campuses under a nationwide lockdown, Strayer University updated its website with a simple message: “Great things don’t happen here.”

Capella University, owned by the same company as Strayer, has run ads promoting its flexibility in “uncertain times” and promising transfer students that they can earn a bachelor’s degree in as little as a year.

Online for-profit colleges like these have seen an opportunity to increase enrollment during the coronavirus pandemic. Their flexible programs may be newly attractive to the many workers who have lost their jobs, to college students whose campuses are closed, and to those now seeking to change careers. The colleges’ parent companies often have substantial cash reserves that they can use to offer tuition discounts and marketing at a time when public universities and nonprofit colleges are seeing their budgets dwindle.

For the largest for-profit colleges operating primarily online have track records to justify the optimistic advertising pitches.

Some have put students deep in debt while posting reported graduation rates amid a history of investigations by state and federal agencies, including many that have led to substantial financial settlements.

Still, there is evidence that interest in the schools has increased.

“I hate to call anybody a winner in this crisis,” said Jeffrey M. Silber, managing director at BMO Capital Markets, a financial services company, “but I think growth will still be at a competitive advantage.”

Strategic’s stock price had climbed steadily since early April, as had those of other publicly traded companies that own universities and college-related education services, including Grand Canyon Education Inc., Pelocor, and Strayer Education Inc. But for many of their students, the future is precarious.

At Capella, only 11 percent of undergraduates earn a degree within eight years, according to the most recent federal statistics. At Strayer, graduation rates range from 3 percent at its Arkansas campus to a high of 27 percent in Virginia.

Fewer than a third of students at Strayer and Capella campuses graduate within eight years. The company’s schools were recently barred from receiving G.I. Bill money from new students after the Department of Veterans Affairs found that they had used sales and enrollment practices that were “erroneous, deceptive or misleading.”

Ashford University, owned by Zovio, had a 25 percent graduation rate, according to the most recent federal statistics. Strayer’s three completed degree programs had a median debt of $34,000 on leaving. Zovio is being sued by the California attorney general, accused of making false promises to students and using illegal debt collection practices. The company denies any wrongdoing.

For-profit schools made a similar play for students during the 2008 recession, as people searching for work in a shrinking job market sought new credentials at low cost. Enrollment at for-profit colleges climbed 24 percent in the second quarter of 2008, according to an analysis by BMO Capital Markets.

Along with that surge came increased scrutiny. Government investigators concluded that two of the biggest for-profit operators, Corinthian Colleges Inc. and ITT Technical Institute, had mismanaged or failed to account for millions of dollars in federal financial aid. They were subsequently barred from receiving such aid, which led to their collapse. The companies were also accused of purposefully winning back take complaints they could never expect to repay.

The Obama administration put rules in place to shut down programs whose graduates were unlikely to pay back their student debt and to make it easier for students who had been defrauded to have their loans forgiven. Experts say conditions are ripe for new growth in the for-profit sector because the Trump administration has rolled back those changes.

“Only a few of these are in place to be right back where we were in 2008, and the regulations that had come out of lessons learned are being whittled away,” said Yan Cao, a fellow at the liberal-leaning Century Foundation who studies higher education.

“The Trump administration’s Department of Education has disputed criticism of its oversight of for-profit colleges. It notes that it has expanded information on its websites to help students make informed choices.

In recent speeches, Mr. Cooper said he was twice given approval for his dissertation project at Capella and worked on it for months, only to be told that he needed to submit it with a new advisor and was forced to leave, despite a 4.0 grade-point average.

Mr. Cooper says he owes more than $100,000 in student loans after his time at Capella.

“At the end of the day, I feel like it’s all just a facade on their end,” he said. “Get people in, take their money and get them out, usually without anything to show for it.”

A lawsuit was filed against Capella seeking class-action status for students like Mr. Cooper who say the school intentionally and knowingly misrepresented programs, costing them tens of thousands of dollars. Last year, a judge allowed three counts in the suit to continue, all regarding the school’s marketing.

Mr. Cooper says he has started spending part of its marketing budget originally earmarked for later this year. “The pandemic has created an unexpected opportunity,” Ms. Selden said.

Wallace Boston, the president of American Public’s two universities, said both schools offered a highquality education. “People who are in trouble, who are looking to be looking at things on the surface, and marketing is one of the things they pick on the most,” Mr. Boston said. “I don’t think that justifies them not being justified unless they do their homework.”

Relative to some other online-only institutions, the American Public University System is cheaper, at $5,880 a year in tuition and fees, and has higher graduation rates. Still, 22 percent of American Public University’s 36,000-plus students graduate after eight years, according to the most recent federal data.

Mr. Boston said the university allowed students to take up to a decade to complete their degree at the height of the recession, but in the 2019-2020 academic year graduation rate was 33 percent, he added.

Tyler Hutchinson, of Brigham City, Utah, enrolled at American Public University in 2017. He had three children and worked part time, so the flexibility of taking online classes offered hope a degree in environment sciences that would lead to a well-paying job.

But Mr. Hutchinson, 31, dropped out after one semester because, he said, the college demanded too much of his free time. The school also sent him a bill for more than $1,000 for classes the next semester that he had never signed up for, he said—a bill that had to be paid out of his savings.

Mr. Boston said the university could not provide information about a student without
the student’s consent. Mr. Hutchinson gave his consent by email, but a spokesman said the university needed a formal consent filing and would have no further comment. Mr. Hutchinson had no income. "When a worker is suspended because of the coronavirus pandemic, Mr. Hutchinson has no income," a spokesman said. "But he was fortunate that he could get unemployment, which was the work-life balance. And with financial aid, it was really attractive," he said. “Even though I really enjoyed it, the financials were such a burden we just decided to discontinue."

American Public Education Inc.’s net income of $2.4 million in the first three months of 2020 was lower than the same period last year, and on June 9 its stock price hit its highest closing point in a year. 

RELEVANT SECTION OF THE INSPECTOR GENERAL ACT

INSPECTOR GENERAL ACCESS ACT STRIKES b(3)

5a U.S. Code §48E. Special provisions concerning the Department of Justice

(a) Notwithstanding the last two sentences of section 3(a), the Inspector General shall be under the direction, control, and protection of the Attorney General with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning:

(A) ongoing civil or criminal investigations or proceedings;

(B) undercover operations;

(C) the identity of confidential sources, including protected witnesses;

(D) intelligence or counterintelligence matters; or

(E) matters that constitute a serious threat to national security.

(b) With respect to the information described under paragraph (1), the Attorney General may prohibit the Inspector General from carrying out or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena after such Inspector General has decided to initiate, carry out, or complete such audit or investigation, from accessing such information, or from issuing such subpoena, if the Attorney General determines that such prohibition is necessary to prevent the disclosure of any information described under paragraph (1) or to prevent the serious impairment to the national interests of the United States.

(c) If the Attorney General exercises any power under paragraph (1) or (2), the Attorney General shall notify the Inspector General in writing stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit a copy of such notice to the Committees on Governmental Affairs and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

(b) In carrying out the duties and responsibilities specified in this Act, the Inspector General of the Department of Justice—

(1) may initiate, conduct, and supervise such audits and investigations in the Department of Justice as the Inspector General considers appropriate;

(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or to any other governmental employee, except that no such referral shall be made if the referral is emploried in the Office of Professional Responsibility;

(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or to any other governmental employee, except that no such referral shall be made if the referral is emploried in the Office of Professional Responsibility;

(4) may investigate allegations of criminal wrongdoing or administrative misconduct by a person who is the head of any agency or component of the Department of Justice; and

(5) if the Attorney General determines that such prohibition is necessary to prevent the serious impairment to the national interests of the United States, and would have no further comment. Mr. Hutchinson gave his consent by email, but a spokesman said the university needed a formal consent filing and would have no further comment. 

THE INTER-AMERICAN DEVELOPMENT BANK

Mr. LEAHY. Mr. President, according to press reports, the Trump administration plans to nominate Mauricio Claver-Carone to be the next president of the Inter-American Development Bank, IDB. It is also my understanding that a number of Latin American governments have already expressed support for his nomination.

As someone who has supported the IDB for decades, including at times when amendments were proposed to eliminate or reduce the U.S. contribution, it is important to be aware that this nomination could jeopardize U.S. support for and cooperation with that institution. Further, if the U.S. Treasury Department and other IDB shareholders believe this nominee will help to build support for a capital increase for the Bank in the U.S. Senate Appropriations Committees, I would urge the IDB to consider someone who would be more widely supported in the United States and in the Western Hemisphere.

For these reasons, I urge the IDB board of governors to carefully consider the enormity of the economic, public health, political, and other challenges currently confronting Latin America and the Caribbean, and the implications of Mr. Claver-Carone’s election shortly before the U.S. Presidential election, coupled with his unpopularity with some Members of Congress, including key members of the Senate and House Appropriations Committees, would not bode well for U.S. support for the Bank in the coming years.

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

[From the Economist, June 20, 2020]

A GRINGO TAKEOVER BID FOR THE INTER-AMERICAN DEVELOPMENT BANK

THE UNITED STATES BREAKS A GENTLEMEN’S AGREEMENT

Since it was founded in 1959, the Inter-American Development Bank (idb) has had just four presidents: a Chilean, a Mexican, a Uruguayan and, since 2005, Luis Alberto Moreno. Under the terms of an agreement by which it was founded, Latin America has the presidency and a small majority of the capital while the United States has the idb job and some informal vetoes over how the bank is run. The idb has not been free of the faults of such institutions, such as bureaucracy and a degree ofcronyism, but it has played an important role in the region. It lends around $12bn a year for infrastructure, health, education and so on, does some useful research and advises governments. It has also been a channel of communication between the two halves of the Americas.

Donald Trump doesn’t believe in gentlemen’s agreements. This week broke this one. The Treasury Department named Mauricio Claver-Carone, the top official for Latin America at the National Security Council (nsc), as a candidate to replace Mr Moreno, who is due to step down in September. Mr Claver-Carone, a Cuban-American, is technically qualified for the post because he had been an adviser to the Treasury and a representative to the imf, and was involved in the Trump administration’s initiatives on development finance. He has told interlocutors that he would serve only one term at the idb, would bring fresh ideas and would be better placed than a Latin American to get the Treasury’s crucial support for a capital increase that would give the bank resources to mitigate the covid-19 slump in the region. These are things that many in Latin America might welcome.

But Mr Claver-Carone is a controversial choice, and not just because his nomination breaks the treaty. At the nsc he has been the chief architect of Mr Trump’s Venezuela policy, which has failed in its aim of getting rid of the dictatorship of Nicolas Maduro. “He’s a guy who comes with very strong baggage, adversarial to Cuba and Venezuela and representing a conservative alliance,” says a Latin American diplomat. “He would bring ideology directly into the bank.” Mr Claver-Carone walked out of the inauguration of Argentina’s president, Alberto Fernandez, in December because of the presence of a Venezuelan minister. Many who have dealt with him describe him as arrogant and confrontational.

Given the Trump administration’s cold war against Venezuela, Mr Claver-Carone’s appointment as head of the idb might force Latin America to choose between the two countries, which the region is reluctant to do. Although Latin America is more integrated than it was in the 1950s—when the treaty was agreed—different parts of the region have different priorities. The Trump administration’s policy, which has failed in its aim of getting rid of the Maduro regime, may well lose an election in November, making him “the earliest lame duck in history”, as a South American official puts it. The sensible course would be to extend Mr Moreno’s term until next year, when the region would have a chance to get used to the idb’s new president, rather than to force an election that could damage the bank’s credibility. Mr Moreno, who is due to leave office in November, was the idb’s president since 2014 and the region’s banker of choice, and not just because his nomination as head of the idb might force Latin America to choose between the two coun-

REMEMBERING BYRON MALLOTT

Ms. MURKOWSKI. Mr. President, in the short history of Alaska as a State in our Union, there have been a handful of people—Bill Egan, Elizabeth Peratrovich, Jay Hammond, Wally Hickel, Ted Stevens—whose lives formed the fibers that wove Alaskans together. Another of those leaders passed recently.

Byron Mallott stands among the best of us. Born in the small town of Yakutat, AL, to the Kwaash Ke Kwaan clan of the Tlingit, in 1943 when Alaska was still a territory, he went on to an amazing life and career. His father was the long-time mayor of Yakutat, and when he died unexpectedly, Byron returned home, campaigned to take over the job, and won the election in 1965 at the age of 22. He then went on to serve the State’s first Governor, Bill Egan, as the commissioner of the Department of Community and Regional Affairs. When Egan lost his reelection campaign, Byron went back home to Yakutat and served on the city council. In 1968, he ran for a seat in the State house, losing by only 23 votes. In 1969, U.S. Senator Mike Gravely hired Byron to work on his staff in Washington, DC, where he had a hand in drafting the Alaska Native Claims Settlement Act, the foundational legislation that continues to define our State and the relationship with Alaska Natives.

After ANCSA was signed into law, Byron spent 20 years working for Sealaska Corporation, 1 of 12 Native corporations which was created by the law. Sealaska is based in Juneau, and its shareholders are primarily Tlingit, Haida, and Tsimshian. Over the course of his tenure there, Byron was a director, chairman, and then spent a decade as president and CEO of the corporation. He helped fulfill the vision of ANCSA by supporting not just the economic vitality of the Native people in the region, but a cultural renaissance as well.

His additional business experience was extensive. Byron was a director of several commercial institutions, including 6 years on the Seattle Branch Board of Directors of the Federal Reserve Bank of San Francisco, multiple years as a director of the Alaska Air Group, and on the board of the National Association for Business. He also served as president of the Alaska Federation of Native, a brief stint as the mayor of the city and borough of Juneau, and executive director of the Alaska Permanent Fund Corporation.

But Byron was far more than a summation of his résumé, impressive though it was. He was a good man and a good friend. When I made the decision to run as a write-in candidate in 2010, I called to ask him to be the co-chair of that campaign. His response was instant, “Yes, absolutely.” When I said I was making the announcement in an hour, he said, “I’ll be there.” There was no hesitation, no concern that he was a lifelong Democrat, supporting a long-shot Republican candidate. He exemplified in the best way Ted Stevens’ philosophy: ‘To hell with politics, do what is right for Alaska. With Byron’s help, I was able to make history by winning the second write-in campaign for U.S. Senate in the country’s history. I don’t know if I would have been successful without him.

In 2014, Byron made history himself when he won the Democratic nomination for Governor of Alaska, then sacrificed his own ambition by joining with the Independent candidate for Governor to create a Unity Ticket. Byron agreed to serve as the candidate for Lieutenant Governor, with Bill Walker leading the ticket. Again, we did what he felt was right for Alaska, rather than his political gain. “Yes, absolutely.”

The Unity Ticket won the 2014 election, but faced some serious challenges, with low oil prices and a tough deficit situation. The fiscal crisis unfortunately dominated the 4 years of the Walker-Mallott administration and created rough political seas for them to weather, necessitating some hard decisions. Through it all, Byron continued to do what he had always done, work for Alaska and Alaskans. In the end, Byron held himself to a high standard, which is something few people do, especially in politics.

A friend of mine, Dr. Rosita Worl, says that the Tlingit mourn the passing of a leader by noting, “In our forest, a great tree has fallen.” That is a fitting metaphor for Byron, who stood strong for decades, serving as both shelter and a guide for people in Alaska. Byron was a strong and proud man, not in a boastful way, but as a true leader whose passion allowed him to push the politics of Alaska and mine is stronger for having been blessed to call him my friend. I will miss him. Alaska will miss him.
TRIBUTE TO EMILY AHO

Ms. HASSAN. Mr. President, I am proud to honor Emily Aho of Jaffrey as June's Granite Stater of the Month. Aho has stepped forward and provided emotional support for healthcare workers on the frontlines of the COVID–19 pandemic, reflecting our State's commitment to the idea that every individual can make a difference in times of critical need.

Aho is the executive director of the Newfoundland Pony Conservancy in Jaffrey, a nonprofit organization that provides a safe living environment for the endangered Newfoundland pony. Up until December 2019, Aho was also a registered nurse until some physical ailments made it difficult for her to work in a hospital.

Shortly after her retirement, COVID–19 began to spread rapidly throughout the United States, and Aho found herself feeling helpless as she watched her loved ones succumb to the deadly virus, including her father, a World War II veteran who was a guard during the Nuremberg trials.

After her father's death, Aho went searching for her father's old photos and memorabilia and found them in the closet where she also kept her materials for equine-assisted learning. Her discovery of those materials was an inspiration and a reminder that, despite her loss, she had much to give.

Aho has stepped forward and offered her support to those on the front lines of this crisis. Her empathy and commitment to improving the mental wellness of her fellow community members exemplifies the best of our State and what it means to be a Granite Stater. I am honored to recognize her.

TRIBUTE TO JEFF FOX

Mr. RISCH. Mr. President, along with my colleagues Senator MIKE CRAPo and Representative MIKE SIMPsoN, I congratulate College of Southern Idaho, CSI, president Jeff Fox on his well-deserved retirement. At age 10, just as CSI was gearing up to offer its very first classes in the fall semester of 1965, Dr. Fox's grandfather took him to the farm fields where the new college was being built. Twenty-two years later, Dr. Fox returned to the College of Southern Idaho to begin his career in education. For 33 years, Dr. Fox has dedicated his life to educating and developing the citizens and the communities of South-Central Idaho. He first came to CSI as an English professor, spending 16 years in the classroom helping his students learn and grow. His talent and skill eventually led him to accept positions in the college's administration, serving as the director of the Academic Development Center, chairman of the English Department, and interim executive vice president and chief academic officer.

In 2014, Dr. Fox was selected to serve as the fourth president of CSI. During his tenure, he oversaw a rapid expansion of the campus and community, introducing new training programs and academic offerings to better equip students to thrive after graduation. Among his many accomplishments, he was instrumental in the dedication and administration of the Applied Technology and Innovation Center that houses CSI's workforce development and custom training programs for businesses and industries.

Today, CSI is known throughout South-Central Idaho for its outstanding nursing, agriculture, business, and workforce development programs, and its passion for equipping students with the tools needed to build a successful career and life. The students and faculty at CSI have been fortunate to prosper under Dr. Fox's skilled and steady leadership, and there is no question he has left an indelible mark on the CSI campus and the Magic Valley community at large.

President Fox, congratulations on your outstanding career. You make our great State proud, and we wish you all the best in your retirement and future endeavors.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

The messages received today are printed at the end of the Senate proceedings.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–4889. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2–Propenoic acid, homopolymer, ester with a-methyl-u-hydroxypoly(oxy-1,2-ethanediyl), and a-1,2,6-tris[phenyletyg]phenyl]-u-hydroxypoly(oxy-1,2-ethanediyl), graft, sodium salt; Tolerance Exemption” (FRL No. 10006–65–OCSPP) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4890. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Cyflumetofen; Pesticide Tolerances”
EC–4898. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis (i&A), Department of Homeland Security, received in the Office of the President of the Senate on June 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–4902. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Tetraethyl Orthosilicate; Exemption from a Tolerance” (FRL No. 10009–36–OCSP) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4903. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plan for the Haze 5-Year Progress Report State Implementation Plan” (FRL No. 10010–33–Region 8) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Environment and Public Works.

EC–4904. A communication from the Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, Department of the Interior, Fish and Wildlife Service, received in the Office of the President of the Senate on June 22, 2020; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–210. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing its support for the annual Gulf Hypoxia Mapping Cruise conducted by the Louisiana Universities Marine Consortium, and urging the United States Congress to authorize continued funding; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION No. 64

Whereas, the growth of a large area of low-oxygen off Louisiana’s coast, known as the Gulf of Mexico Hypoxic Zone or “Dead Zone”, has been a long-standing issue of concern for the state because of the risks it poses for our commercial fishing and seafood industries, and its wider impacts on marine life in the Gulf; and

Whereas, the summer cruises to map the Gulf of Mexico Hypoxic Zone, conducted by scientists at the LUMCON in Cocodrie, Louisiana, have been carried out each year since 1985, providing a consistent and long-term baseline and record of data on the annual extent and formation of the zone, which has in turn aided the development of models to predict its yearly size and future growth; and

Whereas, these cruises, and the Louisiana scientists, researchers, graduate and undergraduate students, and cooperating universities and other partners, are the primary means for our commercial fishing and seafood industries, and its wider impacts on marine life in the Gulf; and

Resolved, That the House of Representatives hereby urges the Senate to support continued funding for the LUMCON Gulf of Mexico Hypoxic Zone and its growth or reduction, as well as the progress of efforts to
reduce it, including the efforts of the state-federal Gulf Hypoxia Task Force with which the state of Louisiana has been a participant since 1997; and

Whereas, the LUMCON mapping cruises have been largely funded through the federal National Oceanic and Atmospheric Administration, reflecting the importance of the Gulf of Mexico to Zeebe and 1997 and the windward coastal fishery and waters as resources of national concern; and

Whereas, because this federal funding is at risk of discontinuation, and the annual LUMCON summer mapping cruise was cancelled in 2016 for only the second time in thirty-one years, the continuation of this vital work is itself at risk.

Therefore, be it Resolved, That the Legislature of Louisiana does hereby express its support for the annual Gulf Hypoxia Mapping Cruise conducted by the Louisiana Universities Marine Consortium, in recognition of the important role it plays in the understanding and conserving of our coastal resources, as well as its support for continued funding for this important effort by memorializing the United States Congress and the Louisiana congressional delegation to authorizing continued funding for this most important endeavor; and be it further

Resolved, That a copy of this Resolution be forwarded to the officers of both houses of the United States Congress and each member of the Louisiana congressional delegation.

POM-211. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions are necessary to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by supporting S. 521 of the Social Security Fairness Act; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, the Congress of the United States of America has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefits payable to a spouse or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

WHEREAS, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit even though their spouses paid Social Security taxes for many years; and

WHEREAS, the GPO has a harsh effect on hundreds of thousands of citizens and undermines the original purpose of the Social Security dependent-survivor benefit; and

WHEREAS, according to recent Social Security Administration figures, more than half a million individuals nationally are affected by the GPO; and

WHEREAS, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security, and paying into the Social Security system; and

WHEREAS, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

WHEREAS, the WEP causes working individuals and families to lose Social Security benefits that they earn themselves; and

WHEREAS, according to recent Social Security Administration figures, more than one and a half million individuals nationally are affected by the WEP; and

WHEREAS, in certain circumstances both the WEP and GPO can be applied to a qualifying survivor’s benefit, each independently reducing the available benefit and in combination eliminating a large portion of the total Social Security benefit available to the survivor; and

WHEREAS, because of the calculation characteristics of the GPO and the WEP, they have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

WHEREAS, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise their quality of life; and

WHEREAS, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

WHEREAS, individuals drastically affected by the GPO or WEP may have no choice but to return to work after retirement in order to make ends meet; the effects accumulated during this return to work can further reduce the Social Security benefits the individual is entitled to; and

WHEREAS, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by Congress: Now, therefore, be it

RESOLVED, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by supporting S. 521 of the 116th Congress Social Security Fairness Act; to the Committee on Finance.

POM-212. A resolution adopted by the Senate of the State of Michigan denouncing the violent activities of extremist organizations, urging the United States Congress to reduce its efforts to combat the spread of all forms of domestic terrorism; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Director of the Federal Bureau of Investigation, the President of the United States Senate, the Speaker of the United States House of Representatives, the chair and ranking member of the United States House Committee on the Judiciary, and the members of the Michigan congressional delegation.

POM-213. A resolution adopted by the General Court of the Commonwealth of Massachusetts urging the Administration and the Secretary of Agriculture to authorize the use of the Supplemental Nutrition Assistance Program (SNAP) electronic benefits transfer cards for the purchase of groceries and other essentials in the commonwealth; to the Committee on Agriculture, Nutrition, and Forestry.

WHEREAS, the Trump Administration and United States Secretary of Agriculture have the power to authorize the use of Supplemental Nutrition Assistance Program (SNAP) electronic benefits transfer cards for the purchase of groceries and other essentials in the commonwealth; and

WHEREAS, the novel coronavirus, also known as COVID-19, presents a particular risk to individuals with comorbidities, including diabetes and asthma, and Supplemental Nutrition Assistance Program participants often have higher rates of diabetes and asthma than individuals who do not participate; and
INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times and unanimously consented to, and referred as indicated:

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Ms. S. UDALL, Mr. UDALL, Mr. LEAHY, and Ms. STABENOW):

S. 4067. A bill to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the “Lieutenant Colonel Charles S. Kettes Department of Veterans Affairs Medical Center”; to the Committee on Veterans’ Affairs.

By Mr. MURPHY (for himself and Ms. UDALL):  
S. 4068. A bill prohibiting firearms dealers from selling a firearm prior to the completion of a background check; to the Committee on the Judiciary.

By Mr. DAINES:

S. 4069. A bill to amend the Small Business Act to provide that Major League Baseball franchises will be prohibited from receiving loans under the Paycheck Protection Program under certain circumstances, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 4070. A bill to designate the medical center of the Department of Veterans Affairs in Bend, Oregon, as the “Robert D. Maxwell Department of Veterans Affairs Medical Center”; to the Committee on Veterans’ Affairs.

By Mr. RUBIO (for himself and Mr. TILLIS):

S. 4071. A bill to amend the Internal Revenue Code of 1986 to adjust identification number requirements for taxpayers filing joint returns to receive Economic Impact Payments; to the Committee on Finance.

By Mr. MURPHY (for himself and Mr. WYDEN):

S. 4072. A bill to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the “Robert D. Maxwell Department of Veterans Affairs Clinic”; to the Committee on Veterans’ Affairs.

By Mr. MURPHY (for himself and Mr. PORTMAN, Mr. COONS, Mr. YOUNG, Mr. BROWN, and Mr. SCOTT of South Carolina):

S. 4073. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for neighborhood revitalization, and for other purposes; to the Committee on Finance.

By Mr. PAUL (for himself, Mr. KING, Mr. CRAPO, and Mr. LEE):

S. 4074. A bill to restore the integrity of the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself and Mr. CARLIN):

S. 4075. A bill to amend the Public Works and Economic Development Act of 1965 to provide for the release of certain Federal interests in connection with certain grants under that Act, and for other purposes; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. BINNENT, Mr. MURPHY, Ms. BROWN, Mr. MURPHY, Mr. WYDEN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. CASEY, Mr. WYDEN, Mr. DURBIN, Ms. HARRIS, Mr. VAN HOLLEN, Ms. HILLIARD, Mrs. SHAREEN, Mr. HARRIS, Mr. MENENDEZ, Mr. BROWN, Mrs. MURPHY, Mr. SCHUETZ, Mr. BOOKER, Mr. HINEHICH, Mr. UDALL, Mr. LEAHY, Ms. STABENOW, Mr. MURPHY, Ms. SMITH, Mr. MERTLEY, Ms. HASSAN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Ms. ROSEN, and Ms. URASKI):

S. 4076. A bill to remove Confederate names, symbols, displays, monuments, and paraphernalia from assets of the Department of the Interior; to the Committee on Armed Services.

By Mr. PORTMAN (for himself, Mrs. FISCHER, and Mr. LANKFORD):

S. 4077. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Ms. CANTWELL, Mr. BROWN, and Mr. CARDIN):

S. 4078. A bill to amend the Internal Revenue Code of 1986 to improve the low-income housing credit and provide relief relating to the coronavirus emergency, and for other purposes; to the Committee on Finance.

By Mr. RUBIO (for himself and Mr. SCOTT):

S. 4079. A bill to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ:

S. 4080. A bill to counter white identity terrorism globally, and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. CASSIDY, and Mr. JONES):

S. 4081. A bill to provide a grant program for elementary schools, secondary schools, and institutions of higher education to help offset costs associated with complying with guidelines, recommendations, and other public health communications issued by the Centers for Disease Control and Prevention, or a State, Indian Tribe, Tribal organization, or locality related to the hazards presented by COVID–19; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. MILLER):

S. 4082. A bill to require reports on certain Department of Defense activities with respect to artificial intelligence, and for other purposes; to the Committee on Armed Services.

By Mr. VAN HOLLEN (for himself, Mr. MURPHY, Mr. MURPHY, and Ms. BALDWIN):

S. 4083. A bill to amend the Relief for Workers Affected by Coronavirus Act to expand Federal Pandemic Unemployment Compensation and improve short-term compensation programs and agreements, and for other purposes; to the Committee on Finance.

By Mr. MARKLEY (for himself and Mr. MURPHY):

S. 4084. A bill to prohibit biometric surveillance by the Federal Government without explicit statutory authorization and to withhold certain Federal public safety grants from State and local governments that engage in biometric surveillance; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. COTTON, Mr. MCCONNELL, and Mrs. BLACKBURN):

S. 4085. A bill to make certain States and political subdivisions of States ineligible to receive Federal finance assistance, and for other purposes; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. THomas):

S. 4086. A bill amend title 38, United States Code, to revise the definition of Vietnam era for purposes of the laws administered by the Secretary of Veterans Affairs and for other purposes; to the Committee on Veterans’ Affairs.
By Ms. ROSEN (for herself and Ms. CORTEZ MASTO):
S. 4067. A bill to provide for the conveyance of certain Federal land in Carson City, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself, Mrs. MURRAY, Mr. LEAHY, Ms. BALDWIN, Mr. SCHUMER, Ms. STABENOW, Mr. MITCH McConnell, and Mr. MERKLEY):
S. 4088. A bill to amend title XIX of the Social Security Act to extend the application of the Medicare payment rate floor to primary care services furnished under Medicaid and to apply the rate floor to additional providers of primary care services; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. HARRIS, Mr. BROWN, Mr. SCHATZ, and Mr. MERKLEY):
S. 4089. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. HEOVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKY, Ms. MURKOWSKY, Mr. Tester, Mr. SCHATZ, Mr. CRAMER, Ms. Smith, and Mr. DANELIS):
S. 4090. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes; to the Committee on Indian Affairs.

ADDITIONAL COSPONSORS
S. 348
At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLAND) was added as a cosponsor of S. 348, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.
S. 360
At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 360, a bill to amend the Securities Exchange Act of 1934 to require the submission by issuers of data relating to diversity, and for other purposes.
S. 459
At the request of Mr. GARDNER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 459, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the onboarding process for new medical providers of the Department of Veterans Affairs, to reduce the duration of the hiring process for such medical providers, and for other purposes.
S. 654
At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 654, a bill to require the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets, and for other purposes.
S. 835
At the request of Ms. KLOBUCHAR, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 835, a bill to amend title 38, United States Code, to improve the care provided by the Secretary of Veterans Affairs to newborn children.
S. 1246
At the request of Mr. KAIN, the name of the Senator from Massachusetts (Mr. MARKET) was added as a cosponsor of S. 1246, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.
S. 1303
At the request of Ms. SMITH, her name was added as a cosponsor of S. 1303, a bill to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.
S. 1903
At the request of Ms. SMITH, the name of the Senator from Colorado (Mr. BENNETT) was added as a cosponsor of S. 1903, a bill to establish an interagency One Health Program, and for other purposes.
S. 392
At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. TILLS) was added as a cosponsor of S. 392, a bill to amend title XVIII of the Social Security Act to improve the quality of care in skilled nursing facilities under the Medicare program and nursing facilities under the Medicare program during the COVID–19 emergency period, and for other purposes.
S. 399
At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 399, a bill to prohibit the use of biometric recognition technology and biometric analytics in certain federally assisted rental dwelling units, and for other purposes.
S. 3023
At the request of Ms. BALDWIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3023, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to enter into contracts with Federal-aid highways and highway safety construction programs, and for other purposes.
S. 3699
At the request of Mr. BOOKER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3699, a bill to amend title XVIII of the Social Security Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.
S. 3923
At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3923, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.
S. 3776
At the request of Ms. COONS, the name of the Senator from Wisconsin (Ms. MILBURN) was added as a cosponsor of S. 3776, a bill to eliminate asset limits employed by certain federally funded means-tested public assistance programs, and for other purposes.
S. 3947
At the request of Ms. BALDWIN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3947, a bill to amend the Victims of Crime Act of 1984 to provide for the compensation of elderly victims of property damage, to provide increased funding for the crime victim compensation fund, and for other purposes.
S. 3568
At the request of Ms. KLOBUCHAR, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. KAIN) were added as cosponsors of S. 3568, a bill to help small business broadband providers keep customers connected.
S. 3644
At the request of Mr. BOOKER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3644, a bill to amend titles XVIII and XIX of the Social Security Act to improve the quality of care in skilled nursing facilities under the Medicare program and nursing facilities under the Medicare program during the COVID–19 emergency period, and for other purposes.
S. 3677
At the request of Ms. BALDWIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3677, a bill to require the Occupational Safety and Health Administration to promulgate an emergency temporary standard to protect employees from occupational exposure to SARS-CoV–2, and for other purposes.
S. 3703
At the request of Ms. COLLINS, the names of the Senator from Florida (Mr. RUBIO), the Senator from Mississippi (Mr. WICKER), the Senator from Montana (Mr. DAINES) and the Senator from Colorado (Mr. BENNETT) were added as cosponsors of S. 3703, a bill to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer’s disease and related dementias.
S. 3756
At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3756, a bill to direct the Secretary of Agriculture to establish a renewable fuel feedstock reimbursement program.
S. 3798
At the request of Mr. TOOMEY, the names of the Senator from Arizona (Ms. MCCLAIN), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. 3798, a bill to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes.
S. 3851
At the request of Ms. WARREN, the names of the Senator from Connecticut...
(Mr. Blumenthal), the Senator from Maryland (Mr. Van Hollen) and the Senator from Oregon (Mr. Wyden) were added as cosponsors of S. 3851, a bill to prohibit high-level appointees in the Department of Justice from participating in particular matters in which the Department of Justice is a party, or an individual associated with the campaign of the President is a party.

S. 3851

At the request of Ms. Klobuchar, the name of the Senator from Delaware (Mr. Coons), the Senator from New York (Mrs. Gillibrand), the Senator from New Hampshire (Ms. Shaheen), the Senator from Tennessee (Mrs. Blackburn), and the Senator from New Jersey (Mr. Menendez) were added as cosponsors of S. 3852, a bill to require the Secretary of Defense and the Secretary of Veterans Affairs to evaluate members of the Armed Forces and veterans who have tested positive for a virus certified as a pandemic for potential exposure to open burn pits and toxic airborne chemicals or other airborne contaminants, to conduct a study on the impact of such a pandemic on members and veterans with such exposure, and for other purposes.

S. 3852

At the request of Mr. Booker, the names of the Senator from Michigan (Ms. Stabenow), the Senator from Virginia (Mr. Kaine), the Senator from California (Ms. Feinstein), and the Senator from Oregon (Mr. Wyden) were added as cosponsors of S. 3957, a bill to remove all statues of individuals who have served the Confederate States of America from display in the Capitol of the United States.

S. 3957

At the request of Mr. Scott of South Carolina, the names of the Senator from Iowa (Ms. Ernst), the Senator from Rhode Island (Mr. Whitehouse), the Senator from Montana (Mr. Daines), and the Senator from Maine (Mr. King) were added as cosponsors of S. 4001, a bill to amend title IX of the Education Act to improve emergency unemployment relief for governmental entities and nonprofit organizations.

S. 4001

At the request of Mr. Menendez, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 4016, a bill to reiterate the support of Congress for the relationship between the United States and the Federal Republic of Germany, to prevent the weakening of the deterrence capacity of the United States in Europe, to prohibit use of funds to withdraw the United States Armed Forces from Europe, and for other purposes.

S. 4016

At the request of Mr. Markey, the name of the Senator from Oregon (Mr. Merkley) and the Senator from Hawaii (Mr. Schatz) were added as cosponsors of S. 4019, a bill to amend title 5, United States Code, to designate Juneteenth National Independence Day as a legal public holiday.

S. 4019

At the request of Mr. Durbin, the name of the Senator from Iowa (Mr. Grassley) was added as a cosponsor of S. 4034, a bill to expand eligibility for and provide judicial review for the Elderly Home Detention Pilot Program, provide for compassionate release based on COVID–19 vulnerability, shorten the waiting period for judicial review during the COVID–19 pandemic, and make other technical corrections.

S. 4034

At the request of Mr. Merkley, the name of the Senator from California (Ms. Harris) was added as a cosponsor of S. 4046, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to award grants to eligible entities to purchase, and as applicable install, zero emissions port equipment and technology, and for other purposes.

S. RES. 569

At the request of Mr. Toomey, the name of the Senator from Wyoming (Mr. Barrasso) was added as a cosponsor of S. 4054, a resolution calling upon the United Nations Security Council to adopt a resolution on Iran that extends the dates by which Annex B restrictions under Resolution 2231 are currently set to expire.

S. RES. 633

At the request of Mr. Markey, the name of the Senator from North Dakota (Mr. Hoeven) was added as a cosponsor of S. Res. 633, a resolution supporting the goals of International Myalgic Encephalomyelitis/Chronic Fatigue Syndrome Awareness Day.

S. RES. 633

At the request of Mr. Scott of South Carolina, the names of the Senator from New Mexico (Mr. Udall) and the Senator from New Jersey (Mr. Perkins) were added as cosponsors of amendment No. 1731 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1731

At the request of Mrs. Shaheen, the name of the Senator from Florida (Mr. Ruddy) was added as a cosponsor of amendment No. 1730 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1730

At the request of Mrs. Shaheen, the name of the Senator from New Hampshire (Ms. Hassan) was added as a cosponsor of amendment No. 1732 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1732

At the request of Mrs. Shaheen, the name of the Senator from West Virginia (Mr. Manchin) was added as a cosponsor of amendment No. 1731 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1731
activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1783
At the request of Mrs. SIAHAB, the names of the Senator from New Mexico (Mr. HENRICH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 1783 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1784
At the request of Mr. HEOVEN, the name of the Senator from South Dakota (Mr. Cramer) was added as a co-sponsor of amendment No. 1784 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1785
At the request of Mr. WYDEN, the names of the Senator from West Virginia (Ms. CORTez MAStO) and the Senator from Nevada (Ms. ROSEN) were added as sponsors of amendment No. 1785 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1786
At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Mr. MARKETZ), the Senator from California (Ms. HARRIS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Nevada (Ms. ROSEN), the Senator from New Mexico (Mr. Udall), the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. LEVIN), the Senator from Oregon (Ms. WYDEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Ms. WARREN), the Senator from Maryland (Mr. VAN HOLLNEN), the Senator from New Jersey (Ms. HARRIS), the Senator from Connecticut (Mr. MURPHY), and the Senator from Alabama (Mr. JONES) were added as cosponsors of amendment No. 1786 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1787
At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Mr. Cramer) was added as a co-sponsor of amendment No. 1787 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1788
At the request of Mr. HOEVEN, the name of the Senator from South Dakota (Mr. Cramer) was added as a co-sponsor of amendment No. 1788 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1789
Sec. 1. Findings. The Congress finds the following:
(1) Business bankruptcies have increased sharply in recent years and remain at high levels due to the impact of the COVID–19 pandemic. As the use of bankruptcy has expanded, job preservation and retirement security are placed at greater risk.
(2) The Congress finds the following:
SEC. 2. Findings. The Congress finds the following:
(1) Business bankruptcies have increased sharply in recent years and remain at high levels due to the impact of the COVID–19 pandemic. As the use of bankruptcy has expanded, job preservation and retirement security are placed at greater risk.
(2) Laws enacted to improve recoveries for employees and retirees and limit their losses.
in bankruptcy cases have not kept pace with the increasing and broader use of bankruptcy by businesses in all sectors of the economy. However, while protections for employees and retirees in bankruptcy cases have eroded, management compensation plans devised for those in charge of troubled businesses have become more prevalent and are escaping adequate scrutiny.

(3) Changes in the law regarding these matters are urgently needed as bankruptcy is used to address increasingly more complex and diverse conditions affecting troubled businesses and industries.

TITLE I—IMPROVING RECOVERIES FOR EMPLOYEES AND RETIREES

SEC. 101. INCREASED WAGE PRIORITY.
Section 507(a) of title 11, United States Code, is amended—
(1) in paragraph (4)—
(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;
(B) in the matter preceding clause (i), as so redesignated, by inserting “(A)” before “Fourth”;
(C) in subparagraph (A), as so designated, in the matter preceding clause (i), as so redesignated—
(i) by striking “$10,000” and inserting “$20,000”;
(ii) by striking “within 180 days”; and
(iii) by striking “or the date of the cessation of the debtor’s business, whichever occurs first”; and
(D) by striking at the end the following:
“(B) Severance pay described in subparagraph (A)(i) shall be deemed earned in full upon the filing of the petition; and”;
“(C) in subparagraph (A), as so designated, in the matter preceding clause (i), as so redesignated—
(i) by striking “$10,000” and inserting “$20,000”;
(ii) by striking “within 180 days”; and
(iii) by striking “or the date of the cessation of the debtor’s business, whichever occurs first”; and
(B) by striking subparagraph (B) and inserting the following:
“(B) for each such plan, to the extent of the number of employees covered by such plan, not to exceed $20,000.”;

SEC. 102. CLAIM FOR STOCK VALUE LOSSES IN DEFINED CONTRIBUTION PLANS.
Section 101(5) of title 11, United States Code, is amended—
(1) in subparagraph (A), by striking “or” at the end;
(2) in subparagraph (B), by striking the period at the end and inserting “; or”;
and
(3) by adding at the end the following:
“(C) right or interest in equity securities of the debtor, or an affiliate of the debtor, if—
“(i) the equity securities are held in a defined contribution plan (within the meaning of section 403 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34))) for the benefit of an individual who is not an insider, a senior executive officer, or any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers;
“(ii) the equity securities were attributable to either employer contributions by the debtor or an affiliate of the debtor, or elective deferrals (within the meaning of section 402(g) of the Internal Revenue Code of 1986); and
“(iii) an employer or plan sponsor who has commenced a case under this title has committed fraud with respect to such plan or has otherwise breached a duty to the participant that has proximately caused the loss of value.”;

SEC. 103. PRIORITY FOR SEVERANCE PAY AND CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS.
Section 503(b)(1) of title 11, United States Code, is amended—
(1) in paragraph (8)(B), by striking “and” at the end;
(2) in paragraph (9), by striking the period and inserting a semicolon; and
(3) by adding at the end the following:
“(II) severance pay owed to employees of the debtor (other than to an insider of the debtor, a senior executive officer of the debtor, or an affiliate of the debtor, who are not insiders or senior executive officers); and
“(II) any contribution to an employee benefit plan that is due on or after the date of the filing of the petition; and”;

SEC. 104. FINANCIAL RETURNS FOR EMPLOYEES AND RETIREES.
Section 1125(a) of title 11, United States Code is amended—
(1) by striking paragraph (3) and inserting the following:
“(3) With respect to retiree benefits, as that term is defined in section 1114(a), the plan—
“(A) provides for the continuation after the effective date of payment of all retiree benefits at the level established pursuant to subsection (e)(1)(B) or (g) of section 1114 at any time before the date of confirmation of the plan, at the time of the termination of the period for which the debtor has obligated itself to provide such benefits, or if no modifications are made before confirmation of the plan, the continuation of all such retiree benefits maintained or established in whole or in part by the debtor before the date of the filing of the petition; and
“(B) provides for recovery of claims arising from the modification of retiree benefits or for other financial returns, as negotiated by the debtor and the authorized representative (to the extent such returns are paid under, rather than outside of, a plan).”;
and
(2) by adding to the end the following:
“(C) The plan provides for recovery of damages pays due to reorganization of a collective bargaining agreement, or for other financial returns as negotiated by the debtor and the representative authorized under section 1114 to the extent that such returns are paid under, rather than outside of, a plan).”;

SEC. 105. PRIORITY FOR WARN ACT DAMAGES.
Section 503(b)(1)(A)(ii) of title 11, United States Code is amended—
(1) by striking any back pay, civil penalty, or damages for a violation of any Federal or State labor and employment law, including the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) and any comparable State law,” before “wages and benefits”.

TITLE II—REDUCING EMPLOYEES’ AND RETIREES’ LOSSES

SEC. 201. REORGANIZATION AND COLLECTIVE BARGAINING AGREEMENTS.
Section 1113 of title 11, United States Code, is amended by striking subsections (a) through (f) and inserting the following:
“(a) The debtor in possession, or the trustee if one has been appointed under this chapter, other than as provided in section 105(m) for collective bargaining agreements covered by the Railway Labor Act (45 U.S.C. 151 et seq.), may reject a collective bargaining agreement only in accordance with this section.

(b) No provision of this title shall be construed to permit the trustee to unilaterally terminate or alter any provision of a collective bargaining agreement before complying with the conditions set forth in subsection (c).

(c) The trustee shall pay all monetary obligations arising under the terms of the collective bargaining agreement. Any such payment required to be made prior to a plan confirmation under section 1129 is effective has the status of an allowed administrative expense under section 503.

(d)(1) If the trustee seeks modification of a collective bargaining agreement, the trustee shall provide notice to the labor organization representing the employees covered by the collective bargaining agreement that modifications are being proposed under this section, and shall promptly provide an initial proposal for modifications to the collective bargaining agreement. Thereafter, the trustee shall confer in good faith with the labor organization, at reasonable times and for a reasonable period in light of the complexity of the case, in attempting to reach mutually acceptable modifications of the collective bargaining agreement.

(2) The initial proposal and subsequent proposals by the trustee in the modification of a collective bargaining agreement shall be based upon a business plan for the reorganization of the debtor, and shall reflect the most complete and accurate information available. The trustee shall provide to the labor organization all information that is relevant for negotiations. The court may enter a protective order to prevent the disclosure of information if disclosure could compromise the position of the debtor with respect to the competitors in the industry of the debtor, subject to the labor organization to evaluate the proposals of the trustee and any application for rejection of the collective bargaining agreement or for interim relief pursuant to this section.

(3) In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the collective bargaining agreement, modifications proposed by the trustee—
“(A) shall be proposed only as part of a program of workforce and workforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs; and
“(B) shall be limited to modifications designed to achieve a specified aggregate financial contribution for the employees covered by the collective bargaining agreement (taking into consideration any labor cost savings negotiated within the 12-month period before the filing of the petition), and shall be not more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization provides the debtor with the necessary capital to effectuate a liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term; and
“(C) shall not be disproportionately or overly burden the employees covered by the collective bargaining agreement, either in the amount of the cost savings sought from such employees or the nature of the modifications.”;

SEC. 202. REJECTION OF COLLECTIVE BARGAINING AGREEMENTS.

such hearing shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the labor organization representing the employees covered by the collective bargaining agreement. Only the debtor and the labor organization may appear and be heard at such hearing. An application for rejection shall not be effective upon the entry of an order granting the relief.

"(2) In consideration of Federal policy encouraging the use of process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the collective bargaining agreement, the labor organization may apply to the court for an order rejecting a collective bargaining agreement only if, based on clear and convincing evidence:

(A) the court finds that the trustee has complied with the requirements of subsection (c);

(B) the court has considered alternative proposals by the labor organization and has concluded that such proposals do not meet the requirements of subsection (c)(3)(B);

(C) the court finds that further negotiations have not reached agreement over mutually satisfactory modifications and further negotiations are not likely to produce an agreement;

(D) the court finds that implementation of the proposal of the trustee shall not—

(1) cause a material diminution in the purchasing power of the employees covered by the collective bargaining agreement; or

(2) impair the labor relations of the debtor such that the ability to achieve a feasible reorganization would be compromised; and

(E) the court finds that rejection of the collective bargaining agreement and immediate implementation of the proposal of the labor organization is essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term.

"(3) If, during the bankruptcy, the trustee has implemented a program of incentive pay, bonuses, or other financial returns for an insider of the debtor, a senior executive officer of the debtor, any of the 20 highest compensated employees, any department or division manager of the debtor, or any consultant providing services to the debtor, or such a program was implemented within 180 days before the date of the filing of the petition with respect to the debtor, such a program was implemented within 180 days before the date of the filing of the petition with respect to the debtor, or such a program that is assumed shall be assumed in accordance with section 365(b) and a hearing. Absent agreement of the parties, no such hearing shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the labor organization representing the employees covered by the collective bargaining agreement, any hearing under this subsection shall be scheduled in accordance with the requirements of subsection (c) and shall be limited by section 502(b)(7). Economic self-help by a labor organization shall be permitted to the extent that the trustee does not have a duty to reject a collective bargaining agreement under subsection (d) or pursuant to subsection (e), and no provision of this title or title I of the Federal or State law may be construed to the contrary.

"(4) In no case shall the court enter an order rejecting a collective bargaining agreement at issue under this section or any motion for rejection of the collective bargaining agreement has been filed, if essential to the continuation of the business of the debtor or in effect to prevent irreparable damage to the estate, the court, after notice and a hearing, may authorize the trustee to implement interim changes in the terms, conditions, and regulations provided by the collective bargaining agreement. Any hearing under this subsection shall be scheduled in accordance with the requirements of subsection (c) and shall be limited by section 502(b)(7). Economic self-help by a labor organization shall be permitted to the extent that the trustee does not have a duty to reject a collective bargaining agreement under subsection (d) or pursuant to subsection (e), and no provision of this title or title I of the Federal or State law may be construed to the contrary.

SEC. 202. PAYMENT OF INSURANCE BENEFITS TO RETIRED EMPLOYEES.

Section 1114 of title 11, United States Code, is amended—

"(1) in subsection (a), by inserting ',', without regard to whether the debtor asserts a right to offset, a right to refuse to make payments under such plan, fund, or program,'" before the period at the end;

"(2) in subsection (b)(2) by inserting 'and a labor organization representing the authorized representative under subsection (c)(1)' after ''subsection'';

"(3) by striking subsection (f) and inserting the following:

"(f)(1) If a trustee seeks modification of retiree benefits, the trustee shall provide a notice to the authorized representative that modifications are being proposed pursuant to this section, and shall promptly provide an initial proposal. Thereafter, the trustee shall confer in good faith with the authorized representative at reasonable times and for a reasonable period in light of the complexity of the case in attempting to reach mutually satisfactory modifications.

"(2) The initial proposal and subsequent proposals by the trustee shall be based upon a business plan for the reorganization of the debtor and shall reflect the most complete, current, and reliable information available. The trustee shall provide to the authorized representative all information that is relevant for the evaluation of the debtor. The court may enter a protective order to prevent the disclosure of information if disclosure could compromise the position of the debtor with respect to the creditors or the industry of the debtor, subject to the needs of the authorized representative to evaluate the proposals of the trustee and an application pursuant to subsection (g) or (h).

"(3) Modifications proposed by the trustee—

(A) shall be proposed only as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs;

(B) shall be limited to modifications that are designed to achieve a specified aggregate financial contribution for the retiree group represented by the authorized representative (taking into consideration any cost savings implemented within the 12-month period before the date of filing of the petition with respect to the debtor); such modifications shall not be more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by the liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term; and

(C) shall not be disproportionate or overly burden the retiree group, either in the amount of the cost savings sought from such group or the nature of the modifications.

"(4) In subsection (g) by striking the subsection designation and all that follows through the semicolon at the end of paragraph (3) and inserting the following:

"(g)(1) If, after a period of negotiations, the trustee and the authorized representative have not reached agreement over mutually satisfactory modifications and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking modifications that reflect the interests of reorganized entity. Notice of the motion shall be provided to the authorized representative. Any hearing on such a motion shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the authorized representative. Only the debtor and the authorized representative may appear and be heard at such hearing.

"(2) The court may grant a motion to modify the payment of retiree benefits only if, based on clear and convincing evidence—

(A) the court finds that the trustee has complied with the requirements of subsection (f);

(B) the court has considered alternative proposals by the labor organization and has determined that such proposals do not meet the requirements of subsection (f)(3)(B);

(C) the court finds that further negotiations regarding the proposal of the trustee or an alternative proposal by the authorized representative are not likely to produce a mutually satisfactory agreement;

(D) the court finds that implementation of the proposal of the trustee or an alternative proposal by the authorized representative is not likely to produce a mutually satisfactory agreement;

(E) the court concludes that an order granting the motion and immediate implementation of the proposal of the trustee is essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term.
days before the date of the filing of the petition, the court shall presume that the trustee has failed to satisfy the requirements of subsection (f)(3)(C); and

(2) in the matter following paragraph (3)—

‘‘(i) by striking ‘‘except that in no case’’ and inserting the following: ‘‘(i) In no case’’; and

(ii) by striking ‘‘consistent with the standard set forth in paragraph (3)’’ and inserting ‘‘assures that all creditors, the debtor, and all of the affected parties are treated fairly and equitably, and is clearly favorable by the balance of the equities’’;

(5) in subsection (h)(1), by inserting ‘‘for a period of not longer than 14 days’’ before the period; and

(6) by striking subsection (k) and redesignating subsections (l) and (m) as subsections (k) and (l), respectively.

SEC. 303. PROTECTION OF EMPLOYEE BENEFITS IN A SALE OF ASSETS.

(a) REQUIREMENT TO PRESERVE JOBS AND MAINTAIN TERMS AND CONDITIONS OF EMPLOYMENT.—Section 303 of title 11, United States Code, is amended by adding at the end the following:

‘‘(q)(1) In approving a sale or lease of property under this section or a plan under chapter 11, the court shall give substantial weight to the extent to which a prospective purchaser or lessee of the property will—

‘‘(A) preserve the jobs of the employees of the debtor;

‘‘(B) maintain the terms and conditions of employment of the employees of the debtor; and

‘‘(C) assume or match the pension and health benefit obligations of the debtor to the extent possible.

‘‘(2) If there are 2 or more offers to purchase or lease property of the estate under this section or a plan under chapter 11, the court shall accept the offer of the prospective purchaser or lessee that will best carry out the actions described in subparagraphs (A) through (C) of paragraph (1).

(b) CHAPTER 11 PLANS.—Section 1129(a) of title 11, United States Code, is amended by adding at the end the following:

‘‘(15) If the plan provides for the sale of all or substantially all of the property of the estate, the plan requires the purchaser of the sale to carry out the actions described in subparagraphs (A) through (C) of section 363(q)(1).’’

SEC. 304. CLAIM FOR PENSION LIABILITIES.

Section 502 of title 11, United States Code, is amended by adding at the end the following:

‘‘(1) The court shall allow a claim asserted by an active or retired participant, or by a labor organization representing such participants, in a defined benefit plan terminated under section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1381, 1392), for any shortfall in pension benefits calculated as of the effective date of the termination of such pension plan as a result of the settlement of the claim and limitations upon the payment of benefits imposed pursuant to section 4002 of that Act (29 U.S.C. 1392), notwithstanding any claim asserted and collected by the Pension Benefit Guaranty Corporation with respect to such termination.

‘‘(m) The court shall allow a claim of a kind described in section 101(5)(C) by an active or retired participant in a defined contribution plan terminated within the meaning of section 3(4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34)), or by a labor organization representing such participants. The amount of such claim shall be measured by the market value of the stock at the time of contribu-
(A) in paragraph (1), by striking ‘‘if the business’’ and inserting ‘‘Except as provided in paragraph (5), if the business’’; and
(B) by adding at the end the following:
‘‘(D) In the matter of a transfer or obligation described in paragraphs (1) through (3) of section 503(c), the trustee shall obtain the prior approval of the court and notice and an opportunity for a hearing.’’.

SEC. 304. ASSUMPTION OF EXECUTIVE BENEFIT PLANS.
Section 306 of title 11, United States Code, is amended—
(1) in subsection (a), by striking ‘‘and (d)’’ and inserting ‘‘(d), (q), and (r)’’; and
(2) by adding at the end the following:
‘‘(q) No deferred compensation arrangement for the benefit of an insider of the debtor, a senior executive officer of the debtor, or any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers shall be assumed if a defined benefit plan for employees of the debtor has been terminated pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341, 1342), on or after the date that is 1 year before the date of the commencement of the case.
‘‘(r) No plan, fund, program, or contract to provide retiree benefits for insiders of the debtor, senior executive officers of the debtor, or the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor, shall be assumed if the debtor has obtained relief under subsection (g) or (h) of section 1114 to impose reductions in retiree benefits or under subsection (d) or (e) of section 1113 to impose reductions in the health benefits of active employees of the debtor, or has otherwise reduced or eliminated health benefits for employees or retirees of the debtor prior to the date that is 1 year before the date of the commencement of the case.’’.

SEC. 305. RECOVERY OF EXECUTIVE COMPENSATION.
(a) In general.—Subchapter III of chapter 5 of title 11, United States Code, is amended by inserting after section 502 the following:
‘‘563. Recovery of executive compensation.
‘‘(a) IN GENERAL.—Subchapter III of chapter 5 of title 11, United States Code, is amended by adding at the end the following:
‘‘563. Recovery of executive compensation.

SEC. 306. PREFERENTIAL COMPENSATION TRANSFERS.
Section 547 of title 11, United States Code, is amended by adding at the end the following:
‘‘(y)(1) The trustee may avoid a transfer—
‘‘(A) to, for the benefit of, an insider of the debtor, a senior executive officer of the debtor, any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor in the ordinary course of business, except as part of a plan of reorganization and subject to the approval of the court, under circumstances that such compensation is intended to be paid or replaced as a result of any such termination.

SEC. 307. PROHIBITION AGAINST SPECIAL COMPENSATION PAYMENTS.
Section 307 of title 11, United States Code, is amended—
(1) by adding to the end the following:
‘‘(3) No plan, program, or other transfer or obligation that has been transferred to an insider of the debtor, a senior executive officer of the debtor, any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor shall be approved if the debtor has, on or after the date that is 1 year before the date of the filing of the petition—
‘‘(i) a transfer or obligation described in paragraphs (1) through (3) of section 503(c), the trustee shall obtain the prior approval of the court and notice and an opportunity for a hearing.’’.

(b) by adding a new subsection (c), by striking ‘‘such compensation shall be treated as a transfer’’ and inserting ‘‘such compensation shall be treated as a transfer’’.

SEC. 308. RECOVERY OF EXECUTIVE COMPENSATION UNDER CHAPTER 13.
(1) The court may recover any transfer of the kind described in paragraph (1) from a person who has transferred that property or obtained title thereto, except that any such transfer transferor is not an insider of or officer of the debtor, and that the transferor is not a member of the management of the debtor; (2) by adding at the end the following:
‘‘(B) made or incurred on or within 1 year before the date of the commencement of the case, the trustee shall obtain the prior approval of the court and notice and an opportunity for a hearing.’’.

SEC. 309. INJUNCTION AGAINST INCONSISTENT TRANSFERS.
(b) by adding the following:
‘‘(6) A transfer of the kind described in paragraphs (1) through (3) of section 503(c), the trustee shall obtain the prior approval of the court and notice and an opportunity for a hearing.’’.
party in interest may apply to the court for authority to recover the claims for the benefit of the estate. The costs of recovery shall be borne by the estate.

**TITLE IV—OTHER PROVISIONS**

**SEC. 404. UNCONSCIONABLE PROOF OF CLAIM.**

Section 501(a) of title 11, United States Code, is amended by inserting “; including a labor organization,” after “A creditor.”

**SEC. 406. EXEMPTION FROM AUTOMATIC STAY.**

Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (27), by striking “and” at the end of clause (v); and

(2) by inserting after paragraph (28) the following paragraph:

“(29) of the commencement or continuation of a grievance, arbitration, or similar dispute resolution proceeding established by a collective bargaining agreement that was or could have been commenced against the debtor before the filing of a case under this title, or the payment or enforcement of an award of such a settlement under such proceeding.”

**SEC. 403. EFFECT ON COLLECTIVE BARGAINING AGREEMENTS UNDER THE RAILWAY LABOR ACT.**

Section 103 of title 11, United States Code, is amended by adding at the end the following:

“(m) Notwithstanding sections 365, 1113, or 1114, neither the court nor the trustee may change the wages, working conditions, or re- tirement benefits of an employee or a retiree of the debtor established by a collective bargaining agreement that is subject to the Railway Labor Act (45 U.S.C. 151 et seq.), except in accordance with section 6 of that Act (45 U.S.C. 156).”

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1796. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1797. Mr. JONES (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1798. Mr. JONES submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1799. Mr. ENZI (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1800. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1801. Mr. WARNER (for himself, Ms. HARRIS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1802. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1803. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1804. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1805. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1806. Mr. JOHNSON (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1807. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1808. Mr. COONS (for himself, Ms. COLLINS, Mr. FRIEDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1809. Mr. HAWLEY (for Mr. LANKFORD) proposed an amendment to the bill S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and report on the impact of social problems affecting black men and boys, and for other purposes.

SA 1810. Mr. TOOMEY (for Mr. Lee (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to work toward an international agreement and commending the work of the United States in that regard, to prevent the further spread of COVID-19 and urging the administration to continue efforts to prevent the spread of COVID-19 and prevent further deaths, and for other purposes.

SA 1811. Mr. TOOMEY (for Mr. Lee (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, supra.

SA 1812. Mr. TOOMEY (for Mr. Lee (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, supra.

SA 1813. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1814. Mr. RUBIO (for himself and Mr. WAREN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1815. Mr. RUBIO (for himself and Mr. WAREN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1816. Mr. RUBIO (for himself and Mr. WAREN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1817. Mr. COTTON (for himself and Mr. Kaine) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1818. Mr. RISH (for himself, Ms. Cortez Masto, Mr. Kennedy, Ms. Rosen, Mrs. Capito, and Mr. Crapo) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1819. Mr. RISH (for himself, Ms. Cortez Masto, Mr. Kennedy, Ms. Rosen, Mrs. Capito, and Mr. Crapo) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1820. Mr. RISH (for himself and Mrs. Stabenow) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1821. Mr. VAN HOLLEN (for Mr. Toomey (for himself and Mr. Van Hollen)) proposed an amendment to the bill S. 3798, to impose sanctions with respect to foreign persons involved in the developments or certain obligations of China with respect to Hong Kong, and for other purposes.

SA 1822. Mr. LANKFORD (for himself, Mr. POMPEO, Mrs. Loeffler, Mr. Lee, and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1823. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1824. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1825. Mr. LANKFORD (for himself, Mr. Peters, and Ms. Sinema) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1826. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1827. Mr. WARNER (for himself and Mr. Rubio) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1828. Mr. CARPER (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. Van Hollen, Mr. Sullivan, Mr. Gillibrand, Mr. Blumenthal, Ms. Cardin, and Mr. Booker) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1829. Mr. COONS (for himself, Mr. TILLIS, Mr. MARKET, Mr. Young, Mr. Durbin, and Ms. Collins) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1830. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1831. Mrs. FEINSTEIN (for herself, Mr. Cornyn, Mr. Blumenthal, and Mr. Markley) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1832. Mrs. FEINSTEIN (for herself, Mr. Grassley, and Mr. Schatz) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1833. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1834. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1835. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1836. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1837. Mr. COLLINS (for herself and Mr. HARRIS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1838. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1839. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1840. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1841. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1842. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1843. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1844. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1845. Mr. VAN HOLLEN (for himself and Mr. RUHRO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1846. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1847. Mr. VAN HOLLEN (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1848. Mr. VAN HOLLEN (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1850. Mr. KING (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1851. Mr. SCHUMER (for himself, Ms. MURKOWSKI, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1852. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1853. Mrs. CAPITTO (for herself and Mr. SANDERS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1854. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1855. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1856. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1857. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1858. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1806. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1904. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1898. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1899. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1900. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1901. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1902. Ms. ERNST (for herself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1903. Ms. ERNST (for herself and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1905. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1906. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1971. Ms. HASSAN (for herself, Mr. COSSY, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1918. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1919. Mr. SANDERS (for himself, Mr. LEON, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1921. Mr. MERRKLEY (for himself, Mr. CONYNS, Ms. SCOTT of Florida, Mr. CARID, Mr. GARDNER, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1922. Mr. MERRKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1923. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1924. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1925. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1926. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1927. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1928. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1929. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1930. Mr. MERRKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1931. Mrs. SHAHEEN (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARPER, Mr. CASEY, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HUNICICH, Mr. LIAH, Mr. SANDERS, Mr. SCHUMER, Mr. VAN HOLLEN, Ms. WARNEN, Mr. MARKEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1932. Mrs. GILLIBRAND (for herself and Mr. GREENE) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1933. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1934. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1935. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1936. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1937. Mr. PETERS (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1938. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1939. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1940. Ms. ROSEN (for herself and Ms. ENSORE) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1941. Ms. KLOBUCHAR (for herself, Mr. RO unity, Mr. SULLIVAN, Mr. COONS, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. MENENDEZ, Mrs. BLACKBURN, Ms. WARREN, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1942. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Ms. SINEIDA, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1943. Ms. KLOBUCHAR (for herself, Mr. TILLIS, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1944. Ms. KLOBUCHAR (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1945. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1946. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1947. Ms. KLOBUCHAR (for herself, Ms. WARNEN, and Mr. BENNET) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1948. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1949. Ms. KLOBUCHAR (for herself, Ms. HIRNOS, Mr. BALDWIN, Mr. VAN HOLLEN, Mrs. SULLIVAN, and Mr. SCOTT) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1950. Ms. KLOBUCHAR (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1951. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1952. Mr. SCOTT, of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COTTON, Mr. RUHGL, Mr. HAWLEY, and Ms. MCBALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1953. Mr. MURPHY (for himself, Ms. WARREN, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 1955. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1957. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1963. Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1966. Mr. TESTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1967. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1968. Mr. MENENDEZ (for himself and Mr. RUHLO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1969. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1999. Mr. WICKER (for himself and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2001. Mr. LEE (for himself, Mr. JOHNSON, Mr. ROMNEY, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2002. Mr. LEE (for himself, Mr. MENENDEZ, Mr. WHITE, CRUZ, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2003. Mr. LEE (for himself, Mr. FEINSTEIN, Mr. CRUZ, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2004. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2005. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2006. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2007. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2008. Mr. RISCH (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2009. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2010. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2011. Mr. PAUL (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2012. Ms. MURKOWSKI (for herself, Mr. BOOKER, Mr. TILLIS, Mr. MANCHIN, Mr. JONES, Ms. MCSALLY, Mrs. BLACKBURN, Mrs. HYDE-SMITH, Mr. RISCH, Mr. CAFPO, Mr. WHITEHOUSE, Mr. COONS, Mr. PORTMAN, Mr. CRAMER, Mr. CARDIN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2013. Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2041. Ms. STABENOW (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2042. Mr. MARKY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2043. Mr. MARKY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2044. Mr. MARKY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2046. Mr. KAIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2047. Mr. MARKY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2048. Mr. MARKY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2049. Mr. MARKY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2050. Mr. MARKY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2051. Mr. MARKY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2052. Mr. MARKY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2053. Mr. MARKY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2054. Mr. MARKY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2055. Mr. DURBIN (for himself, Ms. HARKIN, Mr. BLUMENTHAL, Mr. BROWN, Mr. KAIN, Mr. MERKLEY, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2056. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2057. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2058. Ms. SMITH (for herself and Ms. HYDE-SMITH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2059. Mr. UDALL (for himself, Mr. PAUL, Mr. KAIN, Mr. LEE, Mr. DURBIN, Mr. LEAHY, Mr. MURPHY, Mr. HIRONO, Mr. HENNING, Ms. WARREN, Mr. MERKLEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MARKY, Mr. BURKETT, Mr. BISHOP, Mr. SANDERS, Mr. SCHATZ, and Ms. HARRIS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2060. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2061. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2062. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2063. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2064. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2065. Mr. GARDNER submitted an amendement intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2066. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2067. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2068. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2069. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2070. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2071. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2072. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2073. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2074. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
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to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2074. Mr. GARDNER submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2075. Mr. LEE submitted an amendment
intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2076. Mr. CRUZ (for himself and Ms.
SINEMA) submitted an amendment intended
to be proposed by him to the bill S. 4049,
supra; which was ordered to lie on the table.
SA 2077. Mr. JOHNSON submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2078. Mr. JOHNSON (for himself and
Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2079. Mr. JOHNSON (for himself and
Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2080. Mr. PORTMAN (for himself and
Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2081. Mr. PORTMAN (for himself and
Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2082. Mr. INHOFE submitted an amendment intended to be proposed by him to the
bill S. 4049, supra; which was ordered to lie
on the table.
SA 2083. Mr. ROUNDS submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2084. Mr. LEE (for himself and Mr.
PAUL) submitted an amendment intended to
be proposed by him to the bill S. 4049, supra;
which was ordered to lie on the table.
SA 2085. Mr. KENNEDY submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2086. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2087. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2088. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2089. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2090. Mr. CORNYN (for himself and Mr.
WARNER) submitted an amendment intended
to be proposed by him to the bill S. 4049,
supra; which was ordered to lie on the table.
SA 2091. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2092. Mr. CORNYN (for himself, Ms.
DUCKWORTH, and Ms. ERNST) submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2093. Mr. CORNYN (for himself and Mr.
COTTON) submitted an amendment intended
to be proposed by him to the bill S. 4049,
supra; which was ordered to lie on the table.
SA 2094. Mrs. FISCHER submitted an
amendment intended to be proposed by her

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to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2095. Mr. PERDUE (for himself, Mrs.
LOEFFLER, and Mr. JOHNSON) submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2096. Mr. PERDUE (for himself and Mrs.
LOEFFLER) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2097. Mr. PERDUE (for himself and Mrs.
LOEFFLER) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2098. Mr. PERDUE (for himself, Ms.
SINEMA, Mr. KING, and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which
was ordered to lie on the table.
SA 2099. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2100. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2101. Mr. CORNYN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2102. Mr. SCHUMER (for himself and
Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2103. Ms. HASSAN (for herself and Mr.
JOHNSON) submitted an amendment intended
to be proposed by her to the bill S. 4049,
supra; which was ordered to lie on the table.
SA 2104. Ms. HASSAN submitted an
amendment intended to be proposed by her
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2105. Ms. HASSAN (for herself, Ms.
WARREN, Mr. DURBIN, and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which
was ordered to lie on the table.
SA 2106. Mrs. GILLIBRAND (for herself and
Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2107. Ms. ROSEN submitted an amendment intended to be proposed by her to the
bill S. 4049, supra; which was ordered to lie
on the table.
SA 2108. Ms. ROSEN (for herself, Mr.
ROUNDS, Mr. PETERS, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which
was ordered to lie on the table.
SA 2109. Ms. DUCKWORTH submitted an
amendment intended to be proposed by her
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2110. Mr. CARPER (for himself and Ms.
COLLINS) submitted an amendment intended
to be proposed by him to the bill S. 4049,
supra; which was ordered to lie on the table.
SA 2111. Mr. CARPER submitted an amendment intended to be proposed by him to the
bill S. 4049, supra; which was ordered to lie
on the table.
SA 2112. Ms. BALDWIN (for herself, Mr.
MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN,
Ms. HASSAN, Mr. MERKLEY, Mr. MENENDEZ,
Ms. WARREN, Mr. JONES, Mr. BENNET, Ms.
HIRONO, Mr. MARKEY, Mr. DURBIN, Mr.
SCHATZ, Mr. KAINE, Mr. WARNER, Ms. HARRIS,
Ms. DUCKWORTH, Mr. BROWN, Mr. SCHUMER,
and Mr. MANCHIN) submitted an amendment
intended to be proposed by her to the bill S.
4049, supra; which was ordered to lie on the
table.

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SA 2113. Ms. BALDWIN (for herself, Mr.
BLUMENTHAL, Mr. VAN HOLLEN, Mr. LEAHY,
and Mr. TESTER) submitted an amendment
intended to be proposed by her to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2114. Ms. BALDWIN submitted an
amendment intended to be proposed by her
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2115. Ms. BALDWIN submitted an
amendment intended to be proposed by her
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2116. Mr. DURBIN submitted an amendment intended to be proposed by him to the
bill S. 4049, supra; which was ordered to lie
on the table.
SA 2117. Mr. MANCHIN (for himself, Ms.
MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and
Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2118. Mr. MANCHIN (for himself, Ms.
MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and
Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2119. Mr. MANCHIN (for himself, Ms.
MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and
Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2120. Mr. MANCHIN (for himself, Ms.
MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and
Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S.
4049, supra; which was ordered to lie on the
table.
SA 2121. Mr. MANCHIN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2122. Mr. MANCHIN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2123. Mr. MANCHIN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2124. Mr. MANCHIN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2125. Mr. MANCHIN (for himself, Ms.
HIRONO, Ms. SMITH, Mrs. BLACKBURN, Mr.
HAWLEY, and Mr. WICKER) submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2126. Mr. MANCHIN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2127. Mr. SULLIVAN submitted an
amendment intended to be proposed by him
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2128. Mr. INHOFE submitted an amendment intended to be proposed by him to the
bill S. 4049, supra; which was ordered to lie
on the table.
SA 2129. Mr. RUBIO submitted an amendment intended to be proposed by him to the
bill S. 4049, supra; which was ordered to lie
on the table.
SA 2130. Ms. MCSALLY submitted an
amendment intended to be proposed by her
to the bill S. 4049, supra; which was ordered
to lie on the table.
SA 2131. Ms. MCSALLY submitted an
amendment intended to be proposed by her
to the bill S. 4049, supra; which was ordered
to lie on the table.

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SA 2132. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2133. Mrs. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2134. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2135. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2136. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2137. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2138. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2139. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2140. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2141. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2142. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2143. Mrs. BLACKBURN (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2144. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2145. Mrs. BLACKBURN (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2146. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2147. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2148. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2149. Mr. SCOTT, of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2150. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2151. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2152. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2153. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2154. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2155. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2156. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2157. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2158. Mr. THUNE (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2159. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2160. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2161. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2162. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2163. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2164. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2165. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2166. Mr. INHOFE (for himself and Mr. MORA) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2167. Mr. MENENDEZ (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2168. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2169. Mr. DURBIN (for himself, Mr. MARKEY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2170. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2171. Mr. CARPER (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2172. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2173. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2174. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.
SA 2194. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2195. Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. SCOTT, Mr. HAWLEY, and Ms. MCSALLY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2196. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2197. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2198. Mr. CRAPO (for himself, Mr. BROWN, Mr. COTTON, Mr. WARNER, Mr. ROUSE, Mr. JONES, Mr. MORAN, Mr. MENENDEZ, and Mr. HENNINGER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2199. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2200. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2201. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2202. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2203. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2204. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2205. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2206. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mrs. CAPITO, Mr. CRAMER, Mr. HAWLEY, Mr. ROUSEN, and Mr. MANCINI) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2207. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Mr. MURKOWSKI, Ms. MCSALLY, Mr. Tester, Mr. SCHATZ, Mr. Cramer, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2208. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2209. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2210. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2211. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2212. Mr. SCOTT, of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BROWN, Mr. COTTON, Mr. WARNER, Mr. HAWLEY, and Ms. MCSALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2213. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SEC. 10. — CONSISTENCY OF DEADLINES FOR FILING CLAIMS FOR REIMBURSEMENT OR PAYMENT FOR EMERGENCY TREATMENT FACED TO VETERANS.

(a) In General.—The Advisory Committee of Veterans Affairs shall modify the regulations implementing sections 1725 and 1728 of title 38, United States Code, to ensure that the deadline for filing claims for reimbursement or payment for emergency treatment covered by such sections—

(1) provides the same period of time for the filing of a claim covered under each section; and

(2) is not earlier than the date that is two years after the latest date on which such treatment was provided.

(b) Emergency Treatment Defined.—In this section, the term ‘emergency treatment’ has the meaning given that term in section 1725(f) of title 38, United States Code.

SA 1796. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 10. — CONSISTENCY OF DEADLINES FOR FILING CLAIMS FOR REIMBURSEMENT OR PAYMENT FOR EMERGENCY TREATMENT FACED TO VETERANS.

(a) In General.—The Advisory Committee of Veterans Affairs shall modify the regulations implementing sections 1725 and 1728 of title 38, United States Code, to ensure that the deadline for filing claims for reimbursement or payment for emergency treatment covered by such sections—

(1) provides the same period of time for the filing of a claim covered under each section; and

(2) is not earlier than the date that is two years after the latest date on which such treatment was provided.

(b) Emergency Treatment Defined.—In this section, the term ‘emergency treatment’ has the meaning given that term in section 1725(f) of title 38, United States Code.

SA 1797. Mr. JONES (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Section 350 of the FAA Reauthorization Act of 2018 (Public Law 115-254; 49 U.S.C. 40009 note) is amended—

(1) in the section heading, by striking ‘‘AT INSTITUTIONS OF HIGHER EDUCATION’’ and inserting ‘‘FOR EDUCATIONAL PURPOSES’’; and

(2) in subsection (a)—

(A) by striking ‘‘aircraft system operated by’’ and inserting the following: ‘‘aircraft system—’’;

(‘‘1’’ operated by’’;

(B) in paragraph (1), as added by subparagraph (A), by striking the period at the end and inserting a semicolon; and

(C) by adding a new paragraph and the following:

‘‘(2) flown as part of the established curriculum of an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))’’.

SA 1798. Mr. JONES submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 854. LISTING OF OTHER TRANSACTION AUTHORITY CONSORTIA.

Beginning not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation by the Department of Defense and the Secretary of the recommendations of the Military Leadership Diversity Commission as set forth in the final report of the Commission entitled ‘‘From Representation to Inclusion: Diversity Leadership for the 21st Century Military’’ and dated March 15, 2011.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation by the Department of Defense and the Secretary of the recommendations of the Military Leadership Diversity Commission as set forth in the final report of the Commission entitled ‘‘From Representation to Inclusion: Diversity Leadership for the 21st Century Military’’ and dated March 15, 2011.

(b) Leadership Development Plan.—The report required by subsection (a) shall include the following:

(1) A description of each recommendation in the final report referred to in that subsection;

(2) For each such recommendation, a description and assessment of the implementation of such recommendation by the Department of Defense and the Armed Forces, including an assessment whether progress remains to be made in the implementation of such recommendation.

(3) A description and assessment of the progress of the Department and the Armed Forces in achieving diversity in the leadership of the Armed Forces.

(4) A description and assessment of areas in which the Armed Forces are making insufficient progress in achieving diversity in the leadership of the Armed Forces, an assessment of the causes of such lack of progress, and recommendations for actions to be undertaken to address such lack of progress.

(5) Such other matters in connection with diversity in leadership of the Armed Forces as the Secretary considers appropriate.

SA 1799. Mr. ENZI (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title VIII, add the following:

"(3) flown as part of an established Junior Reserve Officers' Training Corps (JROTC) program; or

(4) "flown as part of an educational program that is charters a community-based organization (as defined in subsection (h) of such section).""

"(3) flown as part of an established Junior Reserve Officers' Training Corps (JROTC) program; or

(4) "flown as part of an educational program that is charters a community-based organization (as defined in subsection (h) of such section)."

"(3) flown as part of an established Junior Reserve Officers' Training Corps (JROTC) program; or

(4) "flown as part of an educational program that is charters a community-based organization (as defined in subsection (h) of such section).""
opportunities, Beta.SAM.gov (or any successor system), a list of the consortia used by the Department of Defense to announce or otherwise make available contracting opportunities using other transaction authority (OTA).

SA 1800. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 28. QUESTIONS REGARDING RACISM, ANTI-SEMITISM, AND SUPREMACISM IN WORKPLACE SURVEYS ADMINISTERED BY THE SECRETARY OF DEFENSE.

Section 593 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting “(a) QUESTIONS REQUIRED.— ” before “The Secretary”;

(2) in paragraph (1), by inserting “, racist, anti-Semitic, or supremacist” after “extremist”;

(3) by adding at the end the following new subsection:

“(b) Report.—Not later than March 1, 2021, the Secretary shall submit to Congress a report including—

“(1) a list of the questions included in surveys under subsection (a); and

“(2) which surveys include such questions.”.

SA 1801. Mr. WARNER (for himself, Ms. HARRIS, and Mrs. FeINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 28. INCLUSION OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY IN DEPARTMENT OF DEFENSE PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

(a) In General.—Section 1599h of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(7) NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—The Director of the National Geospatial-Intelligence Agency may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Agency.”.

(b) Scope of Appointment Authority.—Subsection (b)(1) of such section is amended—

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

(2) in subparagraph (F), by adding “and” at the end; and

(3) by adding at the end the following new subparagraph:

“(G) in the case of the National Geospatial-Intelligence Agency, appoint scientists and engineers to a total of not more than 5 scientific and engineering positions in the Agency.”.

(c) Enhanced Pay Authority.—Subsection (b)(2)(A) of such section is amended—

(1) by striking “paragraph (1)(B)” and inserting “paragraph (1)”;

(2) by inserting “or employees appointed pursuant to subparagraph (G) of such paragraph” after the Director of the National Geospatial-Intelligence Agency” after “this subparagraph”;

(d) Extension of Terms of Appointment.—Subsection (c)(2) of such section is amended by striking “or the Joint Artificial Intelligence Center” and inserting “the Joint Artificial Intelligence Center, or the National Geospatial-Intelligence Agency”.

(e) Study Required.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of the National Geospatial-Intelligence and Security and the Director of National Intelligence shall jointly submit to the appropriate committees of Congress a study on the utility of providing elements of the intelligence community of the Department of Defense, other than the National Geospatial-Intelligence Agency, personnel management authority to attract experts in science and engineering under section 1599h of title 10, United States Code.

(2) Definitions.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(i) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services and the Select Committee on Intelligence of the House of Representatives.

(B) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 1803. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 28. EFFICIENT USE OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall issue a directive to all military departments and agencies for the efficient use of Sensitive Compartmented Information (SCI) facilities.

SA 1804. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 9001. POSTHUMOUS HONORARY PROMOTION TO GENERAL OF THE ARMY LIEUTENANT GENERAL FRANK MAXWELL ANDREWS, UNITED STATES ARMY.

(a) Posthumous Honorary Promotion.—Notwithstanding any time limitation with respect to posthumous promotions for personnel who served in the Armed Forces, the President is authorized to issue a posthumous honorary commission promoting Lieutenant General Frank Maxwell Andrews, United States Army, to the grade of general.

(b) Additional Benefits Not to Accrue.—The honorary promotion of Frank Maxwell Andrews under subsection (a) shall not affect the retired pay or other benefits earned by him to the United States to which Frank Maxwell Andrews would have been entitled based upon...
his military service or affect any benefits to which any other person may become entitled based on his military service.

SA 1805. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

(a) Short Title.—This section may be cited as the “Luke and Alex School Safety Act of 2020”.

(b) CLEARINGHOUSE.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting after section 2214 the following:

“SEC. 2215. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

“(a) Establishment.—

“(1) IN GENERAL.—The Secretary, in coordination with the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services, shall establish a Federal Clearinghouse on School Safety Best Practices (in this section referred to as the ‘Clearinghouse’) within the Department.

“(2) The Clearinghouse shall be the primary resource of the Federal Government to identify and publish online through SchoolSafety.gov, or any successor website, the best practices and recommendations for school safety for use by State and local educational agencies, institutions of higher education, State and local law enforcement agencies, health professionals, and the general public.

“(3) Personnel.—

“(A) Assignments.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

“(B) Secretary of Education, the Attorney General, and the Secretary of Health and Human Services may detail personnel to the Clearinghouse.

“(4) Exemption.—

“(A) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’) shall not apply to any rulemaking or information collection required under this section.

“(B) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply for the purposes of carrying out this section.

“(1) CLEArINGHOUSE CONTENTS.—

“(A) In identifying the best practices and recommendations for the Clearinghouse, the Secretary may consult with appropriate Federal, State, local, Tribal, private sector, and nongovernmental organizations.

“(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

“(A) involve comprehensive school safety measures, including threat prevention, preparedness, mitigation, incident response, and recovery to improve the safety posture of a school upon implementation;

“(B) include any evidence or research relating to the determination of the Clearinghouse that the best practice or recommendation under subparagraph (A) has been shown to have a significant effect on improving the health, safety, and welfare of persons in school settings, including—

“(i) relevant research that is evidence-based, as defined in section 2215 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), supporting the best practice or recommendation;

“(ii) findings from previous Federal or State commissions recommending improvements to the safety posture of a school; or

“(iii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety posture of a school upon implementation.

“(C) include information on Federal grant programs for which implementation of each best practice or recommendation is an eligible use for the program.

“(3) PAST COMMISSION RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall present, as appropriate, Federal, State, local, Tribal, private sector, and nongovernmental organization issued best practices and recommendations and identify any best practice or recommendation of the Clearinghouse that was previously issued by any such organization or commission.

“(4) ASSISTANCE AND TRAINING.—The Secretary may produce and publish materials on the Clearinghouse to assist and train educational agencies and law enforcement agencies on the implementation of the best practices and recommendations.

“(d) CONTINUOUS IMPROVEMENT.—The Secretary shall—

“(1) collect for the purpose of continuous improvement of the Clearinghouse;

“(2) A Clearinghouse data analytics;

“(B) user feedback on the implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

“(C) any evaluations conducted on implementation of the best practices and recommendations of the Clearinghouse; and

“(d) GRANT PROGRAM REVIEW.—

“(1) FEDERAL GRANTS AND RESOURCES.—The Federal Clearinghouse on School Safety Best Practices (referred to in this section as the ‘Clearinghouse’), as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

“(A) every State department of public health; and

“(B) other Department of Health and Human Services partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Homeland Security.

“(2) NOTIFICATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

“(A) every State homeland security advisor;

“(B) every State department of homeland security; and

“(C) other Department of Homeland Security partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Homeland Security.

“(3) NOTIFICATION BY THE ATTORNEY GENERAL.—The Attorney General shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

“(A) every State department of justice; and

“(B) other Department of Justice partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Attorney General.

“(d) GRANT PROGRAM REVIEW.—

“(1) FEDERAL GRANTS AND RESOURCES.—The Secretary of Education shall, as added by subsection (b), to—

“(A) identify any best practices and recommendations of the Clearinghouse for which there is not a Federal grant program that may be used to implement the best practice or recommendation as applicable to the agency; and

“(B) periodically report any findings under subparagraph (A) to the appropriate committees of Congress.

“(2) STATE GRANTS AND RESOURCES.—The Clearinghouse shall, to the extent practicable, identify for each State—

“(A) any grant programs administered by the appropriate agency and identify any Federal grant that may be used to implement the best practices and recommendations of the Clearinghouse.

“(B) review grant programs administered by the appropriate agency and identify any grant program that may be used to implement the best practices and recommendations of the Clearinghouse.

“(c) NOTIFICATION OF CLEARINGHOUSE.—

“(1) NOTIFICATION OF THE SECRETARY OF EDUCATION.—The Secretary of Education shall provide written notification of the publication of the Federal Clearinghouse on School Safety Best Practices (referred to in this subsection and subsection (d) as the ‘Clearinghouse’), as required to be established under title II of the Elementary and Secondary Education Act of 2002, as added by subsection (b), to—

“(A) every State and local educational agency; and

“(B) other Department of Education partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Education.

“(2) NOTIFICATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

“(A) every State homeland security advisor;

“(B) every State department of homeland security; and

“(C) other Department of Homeland Security partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Homeland Security.
Coordination with relevant components and
intelligence relating to countering UAS and counter UAS technology, including operational and industrial control systems, distributed control systems, and particular logic code or algorithms.

"(B) does not include personal devices and systems, such as consumer mobile devices, home computers, residential wireless routers, and residential Internetenabled consumer devices.

"(2) AUTHORITY.—

"(A) IN GENERAL.—If the Director identifies a system connected to the Internet with a specific security vulnerability and has reason to believe that the security vulnerability could adversely affect a covered device or system, and the Director is unable to identify the entity that owns or operates the covered device or system, the Director may subpoena for the production of information necessary to identify and notify the entity at risk, in order to carry out a function authorized under subsection (c)(2).

"(B) LIMIT ON INFORMATION.—A subpoena issued under the authority under subparagraph (A) may seek information—

(i) only in the categories forth in subparagraphs (A), (B), (D), and (E) of section 2703(c)(2) of title 18, United States Code; and

(ii) not for more than 20 covered devices or systems.

"(C) LIABILITY PROTECTIONS FOR DISCLOSING PROVIDERS.—The provisions of section 2703(e) of title 18, United States Code, shall apply to any subpoena issued under the authority under subparagraph (A).

"(3) COORDINATION.—

"(A) IN GENERAL.—If the Director decides to exercise the subpoena authority under this subsection, and in the interest of avoiding interference with ongoing law enforcement investigations, the Director shall coordinate the issuance of any such subpoena with the Department of Justice, including the Federal Bureau of Investigation, pursuant to interagency procedures which the Director, in coordination with the Attorney General, shall develop not later than 60 days after the date of enactment of this section.

"(B) CONTENTS.—The interagency procedures described under this paragraph shall provide that a subpoena issued by the Director under this subsection—

(i) issued in order to carry out a function described in subsection (c)(12); and

(ii) subject to the limitations under this subsection.

"(4) NONCOMPLIANCE.—If any person, partnership, corporation, association, or entity fails to comply with a subpoena issued under this subsection, the Director may request that the Attorney General seek enforcement of the subpoena in any judicial district in which such person, partnership, corporation, association, or entity resides, is found, or transacts business.

"(5) NOTICE.—Not later than 7 days after the date on which the notice under subparagraph (A) is issued, the Director shall inform the person, partnership, corporation, association, or entity against whom the subpoena was issued, of the date on which the Attorney General seeks enforcement of the subpoena under subsection (c)(12). The notice shall include a copy of the subpoena, the affidavit of the Director described in subsection (c)(12)(A), all other evidence the Director relies on to demonstrate that the subpoena was issued by the Agency, or other comparable successor agency, and has not been altered or modified and was not subject to the limitations under this subsection.

"(6) AUTHENTICATION.—

"(a) IN GENERAL.—The subpoena issued by the Director under this subsection shall be authenticated with a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor agency, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

"(b) INVALID IF NOT AUTHENTICATED.—Any subpoena issued by the Director under this subsection shall be authenticated with a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor agency, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.
subsection that is not authenticated in accordance with subparagraph (A) shall not be considered to be valid by the recipient of the subpoena.

(7) PROCEDURES.—Not later than 90 days after the date of enactment of this subsection, the Director shall establish internal procedures and associated training, applicable to the operations of the Agency, regarding subpoenas issued under this subsection, which shall address—

(A) the protection of and restriction on dissemination of nonpublic information obtained through a subpoena issued under this subsection, including a requirement that the Agency shall not disseminate nonpublic information obtained through a subpoena issued under this subsection that identifies the party that is subject to the subpoena or the entity at risk identified by information obtained, except that the Agency may share the nonpublic information of the entity at risk with another Federal agency if—

(i) the Agency identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a law enforcement or national security action or actions related to mitigating or otherwise resolving such incident;

(iii) the entity to which the information pertains is notified of the Director’s determination to the extent that the practice is consistent with national security or law enforcement interests; and

(iv) the entity consents, except that the entity’s consent shall not be required if any other Federal agency identifies the entity to the Agency in connection with a suspected cybersecurity incident;

(B) the restrictions on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501);

(C) the retention and destruction of nonpublic information obtained through a subpoena issued under this subsection, including—

(i) the destruction of information obtained through the subpoena that the Director determines is unrelated to critical infrastructure security risk assessment conducted prior to being issued under this subsection; and

(ii) the destruction of any personally identifiable information not later than 6 months after the date on which the Director receives information obtained through the subpoena, unless otherwise agreed to by the individual identified by the subpoena respondent;

(D) the procedures for providing notice to each party that is subject to the subpoena and each entity identified by information obtained under a subpoena issued under this subsection—

(i) a discussion or statement that responding to, or subsequent engagement with, the Agency, is voluntary; and

(ii) information regarding the process through which the Director identifies security vulnerabilities.

(B) LIMITATION ON PROCEDURES.—The internal procedures established under paragraph (7) may not require an owner or operator of critical infrastructure to take any action as a result of a notice of vulnerability made pursuant to this Act.

(9) REVIEW OF PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Privacy Officer of the Agency shall—

(A) review the procedures developed by the Director under paragraph (7) to ensure that—

(i) the procedures are consistent with fair information practices; and

(ii) the operations of the Agency comply with the procedures for conducting critical infrastructure security risk assessment processes; and

(B) notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of the results of the review.

(10) PUBLICATION OF INFORMATION.—Not later than 120 days after establishing the internal procedures under paragraph (7), the Director shall publish information on the website of the Agency regarding the subpoena process under this subsection, including—

(A) the purpose for subpoenas issued under this subsection;

(B) the subpoe process;

(C) the criteria for the critical infrastructure security risk assessment conducted prior to issuing a subpoena; and

(D) policies on the retention and sharing of data obtained by subpoena;

(11) ANNUAL REPORTS.—The Director shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report (which may include a classified annex but with the presumption of declassification) on the use of subpoenas under this subsection by the Director, which shall include—

(A) a discussion of—

(i) the effectiveness of the use of subpoenas to mitigate critical infrastructure security vulnerabilities;

(ii) the critical infrastructure security risk assessment process conducted for subpoenas issued under this subsection;

(iii) the number of subpoenas issued under this subsection by the Director during the preceding year; and

(iv) to the extent practicable, the number of vulnerable covered devices or systems mitigated under this subsection by the Agency during the preceding year;

(B) the number of entities notified by the Director under this subsection, and their response, during the previous year; and

(C) for each subpoena issued under this subsection—

(i) the source of the security vulnerability detected, identified, or received by the Director;

(ii) the steps taken to identify the entity at risk prior to issuing the subpoena; and

(iii) a description of the outcome of the subpoena, including discussion on the resolution or mitigation of the critical infrastructure security vulnerability.

(12) PUBLICATION OF THE ANNUAL REPORT.—The Director shall publish information on the website of the Agency, which shall be construed to require any private entity.

(A) to request assistance from the Secretary; or

(B) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

(c) PROHIBITION ON USE OF INFORMATION FOR UNAUTHORIZED PURPOSES.—Any information obtained under this subsection shall not be provided to any other Federal agency for any purpose other than a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(d) RULES OF CONSTRUCTION.—

(1) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this section or the amendments made by this section shall be construed to grant the Homeland Security (in this subsection referred to as the “Secretary”), or another Federal agency, any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(2) PRIVATE INFORMATION.—In this section or the amendments made by this section shall be construed to require any private entity.

(A) to request assistance from the Secretary; or

(B) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

SA 1808. Mr. COONS (for himself, Mr. COLLINS, Mrs. SAMPSON, Mr. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE — SUSTAINABLE CHEMISTRY

SEC. 1. NATIONAL COORDINATING ENTITY FOR SUSTAINABLE CHEMISTRY.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this title, the Director of the Office of Science and Technology Policy shall convene an interagency entity (referred to in this title as the “Entity”) under the National Science and Technology Council with the responsibilities to coordinate Federal programs and activities in support of sustainable chemistry, including those described in sections 3 and 4.

(b) COORDINATION WITH EXISTING GROUPS.—In convening the Entity, the Director of the Office of Science and Technology Policy shall consider overlapping coordination with existing committees, subcommittees, or other groups of the National Science and Technology Council, such as—

(1) the Committee on Environment;

(2) the Committee on Technology;

(3) the Committee on Science; or

(4) related groups or subcommittees.

(c) CO-CHAIRS.—The Entity shall be chaired by the Director of the Office of Science and Technology Policy and a representative from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, or the Department of Energy, as selected by the Director of the Office of Science and Technology Policy.

(d) AGENCY PARTICIPATION.—The Agency shall be selected by the Director of the Office of Science and Technology Policy and a representative from the National Institutes of Health, the Centers for Disease Control and Prevention, the Environmental Protection Agency, and other related Federal agencies, as appropriate.
SEC. 2. STRATEGIC PLAN FOR SUSTAINABLE CHEMISTRY.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this title, the Entity shall—

(1) consult with relevant stakeholders, including representatives from industry, academia, national labs, the Federal Government, Federal agencies, local governmental entities, to develop and update, as needed, a consensus definition of "sustainable chemistry" to guide the activities under this title;

(2) develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry, as described in subsection (b);

(3) assess the state of sustainable chemistry in the United States as a key benchmark from which progress under the activities described in this title can be measured, including assessing key sectors of the United States economy, key technology platforms, commercial priorities, and barriers to innovation;

(4) coordinate and support Federal research, development, demonstration, technology transfer, commercialization, education, and training efforts in sustainable chemistry, including budgeting, coordination, and support for public-private partnerships, as appropriate;

(5) identify any Federal regulatory barriers to, and for, Federal agencies facilitating the development of incentives for development, consideration and use of sustainable chemistry processes and products;

(6) identify major scientific challenges, roadblocks, or hurdles to transformational progress in improving the sustainability of the chemical sciences; and

(7) review, identify, and make effort to eliminate duplicative Federal funding and duplicative Federal research in sustainable chemistry.

(b) CHARACTERIZING AND ASSESSING SUSTAINABLE CHEMISTRY.—The Entity shall develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry already in use at Federal agencies; and

(c) LIMITATIONS.—Financial support provided under this section by the convening of public discussions, through mechanisms such as public meetings, consensus conferences, and educational events, as appropriate, for the purpose of providing support to the development of strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(2) not be used to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

4. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity shall carry out activities in support of sustainable chemistry, as appropriate to the specific mission and programs of each agency.

(b) ACTIVITIES.—The activities described in subsection (a) include—

(1) incorporate sustainable chemistry into existing research, development, demonstration, technology transfer, commercialization, education, and training programs, that the agency determines to be relevant, including consideration of—

(A) a summary of federally funded, sustainable chemistry research, development, demonstration, technology transfer, commercialization, and training activities;

(B) a summary of the financial resources allocated to sustainable chemistry initiatives by each participating agency;

(C) an assessment of the current state of sustainable chemistry in the United States, including the role that Federal agencies are playing in supporting it;

(D) an analysis of progress made toward achieving the goals and priorities of this Act, and recommendations for future program activities; and

(E) an evaluation of steps taken and future strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(2) be available only for pre-competitive activities; and

(c) LIMITATIONS.—Financial support provided under this section by the convening of public discussions, through mechanisms such as public meetings, consensus conferences, and educational events, as appropriate, for the purpose of providing support to the development of strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(2) not be used to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. 3. AGENCY ACTIVITIES IN SUPPORT OF SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity may carry out activities in support of sustainable chemistry, as appropriate to the specific mission and programs of each agency.

(b) ACTIVITIES.—The activities described in subsection (a) include—

(1) incorporate sustainable chemistry into existing research, development, demonstration, technology transfer, commercialization, education, and training programs, that the agency determines to be relevant, including consideration of—

(A) a summary of federally funded, sustainable chemistry research, development, demonstration, technology transfer, commercialization, and training activities;

(B) a summary of the financial resources allocated to sustainable chemistry initiatives by each participating agency;

(C) an assessment of the current state of sustainable chemistry in the United States, including the role that Federal agencies are playing in supporting it;

(D) an analysis of progress made toward achieving the goals and priorities of this Act, and recommendations for future program activities; and

(E) an evaluation of steps taken and future strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(2) be available only for pre-competitive activities; and

(3) incentive prize competitions and challenges in coordination with such existing Federal agency programs; and

(4) grants, loans, and loan guarantees to aid in the technology transfer and commercialization of sustainable chemicals, materials, processes, and products;

(5) development of incentives for Federal research and development partnerships among universities, industry, and nonprofit organizations;

(6) coordination of sustainable chemistry education, training, and industrial outreach, including through—

(A) partnerships with industry as described in section 4; and

(B) support for the integration of sustainable chemistry principles into industry and chemical engineering curriculum and research training, as appropriate to that level of education and training; and

(C) support for integration of sustainable chemistry principles into existing or new professional development opportunities for professionals including teachers, faculty, and individuals involved in laboratory research; product development; materials specification and testing, life cycle analysis, and management; and

(4) provide for public input and outreach to be integrated into the processes identified in this section by the convening of public discussions, through mechanisms such as public meetings, consensus conferences, and educational events, as appropriate, for the purpose of providing support to the development of strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(3) be available only for pre-competitive activities; and

(4) not be used to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.
chemical industry, including small- and medium-sized enterprises, to—
(1) create collaborative sustainable chemistry research, development, demonstration, technology transfer, and commercialization programs; and
(2) train students and retrain professional scientists, engineers, and others involved in materials science on the uses of sustainable chemistry concepts and strategies by methods, including—
(A) developing or recognizing curricular materials for undergraduate and graduate levels and for the professional development of scientists, engineers, and others involved in materials science; and
(B) publicizing the availability of professional development courses in sustainable chemistry and recruiting professionals to pursue such courses.

(b) PRIVATE SECTOR PARTICIPATION.—To be eligible for support under this section, a partnership in sustainable chemistry shall include at least one private sector organization.

(c) SELECTION OF PARTNERSHIPS.—In selecting partnerships for support under this section, the agencies participating in the Entity shall also consider the extent to which the applicants are willing and able to demonstrate commitment for, and commitment to, the goals outlined in the strategic plan and report described in section 2.

(d) PROHIBITED USE OF FUNDS.—Financial support provided under this section may not be used—
(1) to support or expand a regulatory chemical management program at an implementing agency under a State law;
(2) to construct or renovate a building or structure;
(3) to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. 2. SECULARIZATION.
In carrying out this Act, the Entity shall focus its support for sustainable chemistry activities on those that achieve, to the highest extent practicable, the goals outlined in the title.

SEC. 6. RULE OF CONSTRUCTION.
Nothing in this title shall be construed to alter existing law or action with regard to sustainable chemistry, as defined by the State.

SEC. 7. MAJOR MULTI-USER RESEARCH FACILITY PROJECT.
Section 110 of the American Innovation and Competitiveness Act (42 U.S.C. 1662e-2) is amended by striking (g)(2) and inserting the following:

"(2) MAJOR MULTI-USER RESEARCH FACILITY PROJECT.—The term 'major multi-user research facility project' means a science and engineering facility project that exceeds $100,000,000 in total construction, acquisition, or upgrade costs to the Foundation.".

SA 1809. Mr. HAWLIEY (for Mr. LANKFORD) proposed an amendment to the bill S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and for other purposes; as follows:

At the end of section 2, add the following:
(c) POLITICAL PARTICIPATION.—After the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

SA 1810. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on vaccines, trials, and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes; as follows:

Strike all after the resolving clause and insert the following:
"That the Senate—";
(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;
(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;
(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19;
(4) commends the promising research and development underway to develop COVID–19 diagnostics, therapies, and vaccines within the United States; and encourages industry, the Federal government, public-private partnerships, and commercial partners;
(5) acknowledges the vast international research enterprises supporting collaboration under way to study an expansive range of drug and vaccine candidates;  
(6) urges renewal of United States leadership and participation in global efforts on therapeutics and vaccines and delivery to address COVID–19 and prevent further deaths; and for other purposes; as follows:

SA 1811. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on vaccines, trials, and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes; as follows:

Whereas the United States has long been a leader in global health, including COVID–19, and to enable equitable access to these vaccines for people during outbreaks; and
Whereas on May 4, 2020, the President of the European Commission led a virtual summit where nations around the world pledged more than $8,000,000,000 to quickly develop vaccines and treatment to fight COVID–19; and
Whereas Gavi, the Vaccine Alliance, is working to maintain ongoing immunization programs in partner countries while helping to identify and rapidly accelerate the development, production, and equitable delivery of COVID–19 vaccines; and
Whereas, on June 4, 2020, the United Kingdom hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1,160,000,000 multi-year commitment: Now, therefore, be it

that the Senate—";
(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;
(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;
(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19;
(4) commends the promising research and development underway to develop COVID–19 diagnostics, therapies, and vaccines within the United States; and encourages industry, the Federal government, public-private partnerships, and commercial partners;
(5) acknowledges the vast international research enterprises supporting collaboration under way to study an expansive range of drug and vaccine candidates;  
(6) urges renewal of United States leadership and participation in global efforts on therapeutics and vaccines and delivery to address COVID–19 and prevent further deaths; and for other purposes; as follows:

SA 1812. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on vaccines, trials, and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes; as follows:

Whereas COVID–19 outbreaks continues to place extreme pressure on health care systems and supply chains worldwide, impactful international travel, trade, and all other aspects of international exchanges, and requires a coordinated global effort to respond; and
Whereas the internationalized world means an infectious disease can travel around the world in as little as 36 hours; and
Whereas United States Federal departments and agencies have engaged in and supported certain research and clinical trials efforts into coronaviruses, which may yield potential discoveries related to vaccine candidates; and
Whereas domestic and domestically supported vaccine candidates for COVID–19 comprise approximately 40 percent of the current potential COVID–19 vaccine candidates worldwide; and
Whereas international collaboration and coordination can help ensure equitable access to safe, effective, and affordable therapeutics and vaccines, thereby saving the lives of Americans and others around the world; and
Whereas the Coalition for Epidemic Preparedness Innovations is working to accelerate the development of vaccines against COVID–19, including COVID–19, and to enable equitable access to these vaccines for people during outbreaks; and
Whereas, on May 4, 2020, the President of the European Commission led a virtual summit where nations around the world pledged more than $8,000,000,000 to quickly develop vaccines and treatment to fight COVID–19; and
Whereas Gavi, the Vaccine Alliance, is working to maintain ongoing immunization programs in partner countries while helping to identify and rapidly accelerate the development, production, and equitable delivery of COVID–19 vaccines; and
Whereas, on June 4, 2020, the United Kingdom hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1,160,000,000 multi-year commitment: Now, therefore, be it

that the Senate—";
Amend the title so as to read: “A resolution encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID-19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID-19 and prevent further deaths, and for other purposes.”

SA 1813. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1242. SENSE OF SENATE ON THE IMPORTANCE OF MAINTAINING ROBUST UNITED STATES MILITARY FORCES IN GERMANY.

(a) FINDINGS.—The Senate makes the following findings:

(1) The North Atlantic Treaty Organization (NATO) alliance is a groundbreaking political and military alliance that ensures freedom and democracy through shared values for all 30 member states of the alliance.

(2) NATO continues to expand, with its newest member, North Macedonia, joining in 2020, showing the continued desire by European nations to join the alliance.

(3) Germany is a longtime member and a strong ally within NATO and a great friend to the United States.

(4) While all NATO member nations contribute critical capabilities to the alliance, the Senate encourages all allies within NATO to reach the goal of spending a minimum of 2.0 percent of their Gross Domestic Product on defense spending as soon as possible to strengthen the alliance even more.

(5) Germany currently spends roughly 1.54 percent of its Gross Domestic Product on defense. As the United States economy strengthens, the Senate urges Germany to expedite its timeline to meet the 2.0 percent NATO goal.

(6) On March 15, 1967, Stuttgart-Vaihingen, Germany, was selected as the permanent location for the headquarters of the United States European Command.

(7) Since its inception, the United States European Command has supported more than 200 named operations and has deployed forces in support of operations and training throughout Europe, Southwest Asia, and Israel.

(8) On October 1, 2008, the United States established the United States Africa Command in Stuttgart, Germany.

(9) The United States has approximately 35,000 troops stationed within Germany supporting operations for two United States combatant commands and the NATO alliance.

(10) The presence of United States military forces in Germany is a strong deterrent against Russian aggression in Europe and strengthens the capability of NATO.

(11) Germany is one of the United States’ closest and strongest European allies with both countries sharing common trading partners, interests, and friendships.

(b) SENSE OF SENATE.—It is the sense of the Senate that Germany—

(1) continues to be a strong ally to the NATO alliance and a great friend to the United States;

(2) serves as a strategic location for United States military forces that serve as a strong deterrent against Russian military aggression and expansion within Europe; and

(3) remains a vital political, economic, and security partner which is critical to our continued prosperity and stability.

SA 1814. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, for military personnel for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. __. SECURE AND TRUSTED TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) A PPROPRIATIONS COMMITTEE.—The term ‘‘appropriate committees of Congress’’ means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Homeland Security and Governmental Affairs of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) NATION.—In this section, the term ‘‘nation’’ means—

(A) the United States;

(B) the Republic of Israel.

(3) C OMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘‘Communications Technology Security and Innovation Fund’’ (referred to in this paragraph as the ‘‘Security Fund’’).

(ii) Administration.—The Director of the Intelligence Advanced Research Projects Activity shall administer the Security Fund.

(B) CONTENTS OF FUND.—

(i) IN GENERAL.—The fund shall consist of—

(aa) amounts deposited in the Security Fund; and

(bb) such other amounts as may be appropriated pursuant to the authorization of appropriations under paragraph (3)(A); and

(bb) such other amounts as may be appropriated pursuant to the authorization of appropriations under paragraph (3)(B).

(ii) AVAILABLE.—The fund shall be available for obligations and expenditures authorized in the Security Fund.

(i) IN GENERAL.—Amounts deposited in the Security Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(bb) REMAINDER TO TREASURY.—Any amount remaining in the Security Fund after the end of the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(B) GRANTS.—

(1) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall award grants to support research and the commercial application of such research, including in the following areas:

(i) Promoting the development of technologies, including software, hardware, and microprocessor technology, that will enhance competitiveness in fifth-generation (commonly known as ‘‘5G’’) and successor wireless technology supply chains.

(ii) Accelerating development and deployment of open interface, fully interoperable, equipment that is compliant with open standards for compatible interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the 3rd Generation Partnership Project, 3GPP, the O-RAN Software Community, or any successor organizations.

(iii) Promoting the security and availability of equipment in multivendor networks.

(iv) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor ecosystem.

(ii) AMOUNT.—

(I) IN GENERAL.—Subject to subclause (II), a grant awarded under clause (i) shall be in an amount as determined by the Director of the Intelligence Advanced Research Projects Activity.

(ii) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this paragraph to a recipient for a specific research focus area may not exceed $100,000,000.

(C) FEDERAL ADVISORY BODY.—

(I) ESTABLISHMENT.—The Director of the Intelligence Advanced Research Projects Activity, in consultation with the Secretary of Defense, the Assistant Secretary of Commerce for Communications and Information, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(ii) TIMING.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).

(J) the Committee on Armed Services of the Senate;

(K) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(L) the Committee on Appropriations of the Senate.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available for obligations and expenditures authorized in the Security Fund.

(2) FIFTH-GENERATION WIRELESS NETWORK.—

(a) ESTABLISHMENT.—

(i) IN GENERAL.—The term ‘‘fifth-generation wireless network’’ means a radio network as described by the 3rd Generation Partnership Project (3GPP) Release 15 or higher.

(b) SUPPORTING THE DEVELOPMENT AND ADOPTION OF SECURE AND TRUSTED TECHNOLOGIES AMONG INTELLIGENCE ALLIES AND PARTNERS.—

(1) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘‘Communications Technology Security and Innovation Fund’’ (referred to in this paragraph as the ‘‘Security Fund’’).

(ii) Administration.—The Director of the Intelligence Advanced Research Projects Activity shall administer the Security Fund.

(B) CONTENTS OF FUND.—

(i) IN GENERAL.—The fund shall consist of—

(aa) amounts deposited in the Security Fund; and

(bb) such other amounts as may be appropriated pursuant to the authorization of appropriations under paragraph (3)(A); and

(bb) such other amounts as may be appropriated pursuant to the authorization of appropriations under paragraph (3)(B).

(ii) AVAILABLE.—The fund shall be available for obligations and expenditures authorized in the Security Fund.

(i) IN GENERAL.—Amounts deposited in the Security Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(bb) REMAINDER TO TREASURY.—Any amount remaining in the Security Fund after the end of the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(B) GRANTS.—

(1) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall award grants to support research and the commercial application of such research, including in the following areas:

(i) Promoting the development of technologies, including software, hardware, and microprocessor technology, that will enhance competitiveness in fifth-generation (commonly known as ‘‘5G’’) and successor wireless technology supply chains.

(ii) Accelerating development and deployment of open interface, fully interoperable, equipment that is compliant with open standards for compatible interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the 3rd Generation Partnership Project, 3GPP, the O-RAN Software Community, or any successor organizations.

(iii) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor ecosystem.

(iv) Managing integration of multivendor network environments.

(V) Objective criteria to define equipment as compliant with open standards for multivendor network equipment.

(VI) Promoting development and inclusion of security features ensuring the integrity and availability of equipment in multivendor networks.

(VII) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor ecosystem.

(C) FEDERAL ADVISORY BODY.—

(I) ESTABLISHMENT.—The Director of the Intelligence Advanced Research Projects Activity, in consultation with the Secretary of Defense, the Assistant Secretary of Commerce for Communications and Information, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(ii) TIMING.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).
(I) representatives from—
  (aa) the Federal Communications Commission;
  (bb) the National Institute of Standards and Technology;
  (cc) the Department of Defense;
  (dd) the Department of State;
  (ee) the National Science Foundation; and
  (ff) the Department of Homeland Security; and
  (II) other representatives from the private and public sectors, at the discretion of the Secretary.

(iii) Duties.—The advisory committee established under clause (i) shall—
  (I) monitor the progress of the Director of the Intelligence Advanced Research Projects Activity in meeting the objectives described in paragraph (B); and
  (II) provide such other information as the Director of the Intelligence Advanced Research Projects Activity determine appropriate.

(B) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(A) Establishment of fund.—

(I) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the “Multilateral Telecommunications Security Fund” (in this section referred to as the “Multilateral Fund”).

(II) Authorization.—The Director of National Intelligence and the Secretary of Defense shall jointly administer the Multilateral Fund.

(III) Use of amounts.—Amounts in the Multilateral Fund shall be used to establish the common funding mechanism required by subparagraph (B).

(B) Form.—The report submitted under paragraph (A) shall be submitted in an unclassified form, but may include a classified annex.

(C) Consultation required.—The Director and the Secretary shall carry out clause (i) in consultation with the following:

(1) The Federal Communications Commission.

(2) The Department of State.

(3) The Assistant Secretary of Commerce for Communications and Information.

(D) The Secretary of Defense.

(E) The Director of National Intelligence.

(F) The Under Secretary of Commerce for Standards and Technology.

SA 1815. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION I—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.


Sec. 304. Continuity of operations plans for certain elements of the intelligence community in the case of a national emergency.

Sec. 305. Application of Executive Schedule level III to position of Director of National Reconnaissance Office.

Sec. 306. National Intelligence University.

Sec. 307. Requiring facilitation of establishment of Social Media Data and militia contact center.

Sec. 308. Data collection on attrition in intelligence community.

Sec. 309. Limitation on delegation of responsibility for program management.

Sec. 310. Improvements to provisions relating to intelligence community information technology environment.
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Sec. 311. Requirements and authorities for Director of the Central Intel- lIGENCE Agency to improve edu- cation in science, technology, engineering, arts, and mathe-
matics.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

Sec. 321. Assessment by the Comptroller General of the United States on efforts of the intelligence com-

munity and the Department of Defense to identify and mitig- ate risks posed to the intel-

celligence community and the Dep-

artment by the use of direct-
to-consumer genetic testing by the Government of the People’s Republic of China.

Sec. 322. Report on use by intelligence com-

munity of hiring flexibilities and expedited human resources

practices to assure quality and diversity in the workforce of the intelligence community.

Sec. 323. Report on signs intelligence pri-

orities and requirements.

Sec. 324. Assessment of demand for student loan repayment program ben-

efit.

Sec. 325. Assessment of intelligence commu-

nity demand for child care.

Sec. 326. Open source intelligence strategies and plans for the intelligence community.

TITLE IV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

Sec. 401. Exclusivity, consistency, and transparency in security clear-

ance procedures, and right to appeal.

Sec. 402. Establishing process parity for security clearance revocations.

Sec. 403. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce.

TITILE V—REPORTS AND OTHER MATTERS

Sec. 501. Report on attempts by foreign adver-

saries to build telecommunication and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.

Sec. 502. Report on threats posed by use for unauthorized purposes and antici-

pations of commercially available cyber intrusion and surveil-

lance technology.

Sec. 503. Reports on recommendations of the Cyberspace Solarium Com- 
misson.

Sec. 504. Assessment of critical technology trends relating to artificial in-

telligence, microchips, and semiconductors and related supply chains.

Sec. 505. Combating the influence operations in the United States and strengthening civil liberties protections.

Sec. 506. Annual report on corrupt activities of senior officials of the Chinese Communist Party.

Sec. 507. Report on covert activities of Rus-

sian and other Eastern Euro-

pean oligarchs.

Sec. 508. Report on biosecurity risk and disease outbreak by the Chinese Communist Party and the Gov-

ernment of the People’s Republic of China.


Sec. 510. Report on Iranian activities relat-

ing to nuclear nonproliferation.

Sec. 511. Sense of Congress on Third Option Foundation.

DIVISION I—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

Sec. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appro-

rised for fiscal year 2021 for the conduct of the intelligence and intelligence-related ac-

ivities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.


(6) The Department of the Army, the Dep-

artment of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.


(13) The Drug Enforcement Administr-

ation.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Secu-

rity.

Sec. 102. CLASSIFIED SCHEDULE OF AUTHORIZA-

TIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under this section are:

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Com-

mittee on Appropriations of the House of Representa-

tives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Sub-

ject to paragraph (3), the President shall pro-

vide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Imp-


(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

Sec. 103. INTELLIGENCE COMMUNITY MANAGE-

MENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intel-

ligence for fiscal year 2021 the sum of $731,200,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authori-

zed to be appropriated for the Intelligence Community Management Account by sub-

section (a), there are authorized to be appro-

riated for the Intelligence Community Man-

agement Account for fiscal year 2021 such ad-

ditional amounts as specified in the clas-

ified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYST-

EM

Sec. 201. AUTHORIZATION OF APPROPRIATIONS. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2021.

TITILE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to con-

stitute authority for the conduct of any intelli-

gence activity which is not otherwise authorized by the Constitution or the laws of the United States.

Sec. 302. INCREASE IN EMPLOYEE COMPENSA-

TION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other ben-

efits for Federal employees may be increased by additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

Sec. 303. CLARIFICATION OF AUTHORITIES AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFOR-

MATION SYSTEMS SECURITY.

In carrying out the authorities and respon-

sibilities of the National Manager for Na-

tional Security Telecommunications and In-

formation Systems Security under Executive Order 13846 (signed by the Presi-

dent on July 5, 1990), the National Manager shall not supervise, oversee, or execute, ei-

ther directly or indirectly, any aspect of the National Intelligence Program.

Sec. 304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

(a) DEFINITION OF COVERED NATIONAL EMER-

GENCY.—In this section, the term “covered national emergency” means the following:

(1) A major disaster declared by the Presi-

dent under section 101 of the Robert T. Staf-

ford Disaster Relief and Emergency Assist-

ance Act (42 U.S.C. 5170).

(2) An emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191).

(3) A national emergency declared by the President under the National Emergency Act (50 U.S.C. 1601 et seq.).

(4) A public health emergency declared under section 319 of the Public Health Serv-

ice Act (42 U.S.C. 247).

(b) IN GENERAL.—The Director of National Intelligence, the Director of the Central In-

telligence Agency, the Director of the Na-

tional Reconnaissance Office, the Director of the Defense Intelligence Agency, the Direc-

tor of the National Security Agency, and the
Director of the National Geospatial-Intelligence Agency shall each establish continuity of operations plans for use in the case of covered national emergencies for the element of the intelligence community concerned.

(c) Submission to Congress.—

(1) Director of National Intelligence and Director of the Central Intelligence Agency.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of National Intelligence and the Director of the Central Intelligence Agency shall each submit to the congressional intelligence committees the plan established under subsection (b) for the emergency for the element of the intelligence community concerned.

(2) Director of National Reconnaissance Office, Director of the National Geospatial-Intelligence Agency, Director of National Security Agency, and Director of National Geospatial-Intelligence Agency.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit the plan established under subsection (b) for the element of the intelligence community concerned to the following:

(A) The congressional intelligence committees.

(B) The Committee on Armed Services of the House of Representatives.

(C) The Committee on Armed Services of the Senate.

(3) Geospatial-Intelligence Agency shall each submit any updates to the plans submitted under subsection (c).

(1) in accordance with that subsection; and

(2) in a timely manner consistent with section 501 of the National Security Act of 1947 (50 U.S.C. 3091).

SEC. 305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.

Section 531 of title 5, United States Code, is amended by adding at the end the following:

‘‘Director of the National Reconnaissance Office.’’.

SEC. 306. NATIONAL INTELLIGENCE UNIVERSITY.

(a) In General.—Title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding at the end the following:

‘‘Subtitle D—National Intelligence University

‘‘Sec. 1031. Transfer date.

‘‘In this section the term ‘transfer date’ means the date on which the National Intelligence University is transferred from the Director of the National Geospatial-Intelligence Agency to the Director of the National Reconnaissance Office under section 425(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).’’

‘‘Sec. 1032. Degree-granting authority.

‘‘(a) Authorization: Not later than 120 days after the date of the enactment of this Act, the National Intelligence University may accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2156(c) of title 10, United States Code.

‘‘Sec. 1033. Degree-granting authority.

‘‘The Director of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2156(c) of title 10, United States Code.

‘‘Sec. 1034. Acceptance of faculty research grants.

‘‘The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2156(c) of title 10, United States Code.

‘‘Sec. 1035. Continued applicability of the federal advisory committee act.

‘‘The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University and the after the transfer date.”

(b) Conforming amendments.—Section 5324 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (b)(1)(C), by striking “subsection (e) and” and substituting “subsection (e)”;

(2) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(c) Clerical amendment.—The table of contents in the National Security Act of 1947 is amended by inserting after the item relating to section 1024 the following:

(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies.

(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the University.

(3) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

(1) ACTIONS ON NONACCREDITATION.—Beginning on the transfer date, the Director shall promptly—

(A) notify the congressional intelligence committees of any action by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and

(B) submit to such committees a report containing an explanation of any such action.

(2) MODIFICATION OR REDESIGNATION OF DEGREE-GRANTING AUTHORITY.—Beginning on the transfer date, upon any modification or redesignation of existing degree-granting authority, the University shall submit to the congressional intelligence committees a report containing—

(A) the rationale for the proposed modification or redesignation; and

(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

‘‘Sec. 1036. Application of employment and compensation.

‘‘(a) Authority of Director.—Beginning on the transfer date, the Director of National Intelligence may employ as many professors, instructors, and lecturers at the National Intelligence University as the Director considers necessary.

‘‘(b) Compensation of faculty members.—The compensation of persons employed under this section shall be as prescribed by the Director.

‘‘(c) Compensation plan.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with no reduction in pay) or under the authority of this section.

‘‘Sec. 1037. Requiring facilitation of establishment.

‘‘(a) Requirement to facilitate establishment.—Subsection (c)(1) of section 5323 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, by striking “may” and inserting “shall”.

(b) deadline to facilitate establishment.—Such subsection is further amended by striking “The” and inserting “Not later than 180 days after the date the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director’’.

(c) Conforming amendments.—

(1) Reporting.—Subsection (d) of such section is amended—

(A) in the matter before paragraph (1), by striking “the Director” and all that follows through “the Center, the” and inserting “the”; and

(B) in paragraph (1), by striking “180 days after the date of the enactment of this Act” and inserting “180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021”.

(2) Funding.—Subsection (f) of such section is amended by striking “fiscal year 2020 and 2021” and inserting “fiscal year 2021 and 2022”.

(3) Clerical.—Subsection (c) of such section is amended—

(a) in the subsection heading, by striking “Authority” and inserting “Requirement”;

(b) in paragraph (1), in the paragraph heading, by striking “Authority” and inserting “Requirement”.

‘‘Sec. 1038. Data collection on attrition in intelligence community.

(a) Standards for data collection.

(1) in General.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for data relating to attrition in the intelligence community workforce across demographics, specialties, and length of service.

(2) Inclusion of current candidates.—The Director shall include, in the standards established under paragraph (1), standards for collecting data from candidates who accepted conditional offers of employment but chose to withdraw from the hiring process before entering into service, including data with respect to the reasons such candidates chose to withdraw.

(b) Collection of data.—Not later than 120 days after the date of the enactment of this Act, each element of the intelligence community shall begin collecting data on workforce and candidate attrition in accordance with the standards established under subsection (a).

(c) Inclusive report.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director shall submit to the congressional intelligence committees a report for collecting data on workforce and candidate attrition in the intelligence community that includes—

(1) the findings of the Director based on the data collected under paragraph (1); and

(2) recommendations for addressing any issues identified in those findings; and
(3) an assessment of timeliness in processing applications of individuals previously employed by an element of the intelligence community, consistent with the Trusted Workforce 2.0 initiative sponsored by the Security Clearance, Suitability, and Credentialing Performance Accountability Council.

SEC. 309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING INTELLIGENCE ENVIRONMENT.

(a) In General.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 1067q(b)), as amended by section 2103 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in the matter before subparagraph (A), by striking ‘‘Director of National Intelligence’’ and inserting ‘‘President’’;

(2) in paragraph (2), by striking ‘‘Director of National Intelligence’’ both places it appears and inserting ‘‘President’’; and

(3) by adding at the end the following:—

‘‘(3) DELEGATION.——‘‘(A) GENERAL.—Subject to subparagraph (B), the President may delegate responsibility for carrying out this subsection.

‘‘(B) LIMITATION.—The President may not delegate responsibility for carrying out this subsection to the Director of National Intelligence.’’.

(b) EFFECTIVE DATE.—The amendments made by this subsection (a) shall take effect on October 1, 2020.

SEC. 310. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

Section 6312 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is further amended by striking—

sections (e) through (i) and inserting the following:

‘‘(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a long-term roadmap for the intelligence community information technology environment.

‘‘(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a business plan to implement the long-term roadmap plan described in section (e).

SEC. 311. REQUIREMENTS AND AUTHORITIES FOR DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY TO IMPROVE EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding the following:

**SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.**

(a) DEFINITIONS.—In this section:—

(1) ELIGIBLE ENTITY.—The term ‘‘eligible entity’’ includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

(2) EDUCATIONAL INSTITUTION.—The term ‘‘educational institution’’ includes any public or private school, university, college, or secondary school, institution of higher education, college, university, or any other profit or non-profit institution that is dedicated to improving technology, engineering, arts, mathematics, business, law, medicine, or other fields that promote development and education relating to science, technology, engineering, the arts, or mathematics.

(3) STATE.—The term ‘‘State’’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

(b) REQUIREMENTS.—The Director shall—

(1) identify actions that the Director may take to improve education in the scientific, technology, engineering, and mathematics disciplines (known as ‘‘STEM’’), including the means to meet the national-security needs of the United States for personnel proficient in such skills; and

(2) establish and conduct programs to carry out such actions.

(c) AUTHORITIES.—

(1) IN GENERAL.—The Director, in support of educational programs in science, technology, engineering, the arts, and mathematics, may—

(A) award grants to eligible entities;

(B) provide cash awards and other items to eligible entities;

(C) accept voluntary services from eligible entities;

(D) support national competition judging, other educational event activities, and associated award ceremonies in connection with such educational programs; and

(E) enter into one or more education partnerships agreements with educational institutions in the United States for the purpose of encouraging and enhancing study in science, technology, engineering, the arts, and mathematics disciplines at all levels of education.

(2) EDUCATION PARTNERSHIP AGREEMENTS.—

(A) NATURE OF ASSISTANCE PROVIDED.—Under an education partnership agreement entered into with an educational institution under paragraph (1), the Director may provide assistance to the educational institution by—

(i) loaning equipment to the educational institution for any purpose and duration in support of such agreement that the Director considers appropriate;

(ii) making personnel available to teach science courses or to assist in the development of science courses and materials for the educational institution;

(iii) providing sabbatical opportunities for faculty and internship opportunities for students;

(iv) involving faculty and students of the educational institution in Agency projects, including research and technology transfer or transition projects;

(v) cooperating with the educational institution in developing a program under which students may earn credit or receive stipends for work on Agency projects, including research and technology transfer for transition projects; and

(vi) providing academic and career advice and assistance to students of the educational institution.

(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1), the Director shall prioritize entering into education partnership agreements with the following:

(i) Historically Black colleges and universities and other minority-serving institutions, as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067(a));

(ii) Educational institutions serving women, members of minority groups, and other groups of individuals who traditionally have been underrepresented in the fields of science, technology, engineering, arts, and mathematics professions in disproportionately low numbers.

(4) DESIGNATION OF ADVISOR.—The Director shall designate one or more individuals within the Agency charged with advising the Director regarding matters relating to improving technology, engineering, the arts, and mathematics education and training.’’.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

SEC. 321. ASSESSMENT BY THE COMPTROLLER GENERAL OF THE UNITED STATES ON EFFORTS OF THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT OF DEFENSE TO IMPROVE DIRECT-TO-CONSUMER GENETIC TESTING BY THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess the efforts of the intelligence community and the Department of Defense to identify and mitigate the risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People’s Republic of China.

(b) REPORT REQUIRED.—

(1) DEFINITION OF UNITED STATES DIRECT-TO-CONSUMER GENETIC TESTING COMPANY.—In this subsection, the term ‘‘United States direct-to-consumer genetic testing company’’ means a private entity that—

(A) carries out direct-to-consumer genetic testing; and

(B) is organized under the laws of the United States or any jurisdiction within the United States.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress, including the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, a report on the assessment required by subsection (a).

(3) ELEMENTS.—The report required by paragraph (2) shall include the following:

(A) A description of key national security risks and vulnerabilities associated with direct-to-consumer genetic testing, including—

(i) how the Government of the People’s Republic of China may be using data provided by personnel of the intelligence community and the Department of Defense through direct-to-consumer genetic tests; and

(ii) how ubiquitous technical surveillance may amplify those risks.

(B) An assessment of the extent to which the intelligence community and the Department have identified risks and vulnerabilities posed by direct-to-consumer genetic testing and have sought to mitigate such risks and vulnerabilities, or have plans for such mitigation, including the extent to which the intelligence community has determined—

(i) in which United States direct-to-consumer genetic testing companies may have sold data to the Government of the People’s Republic of China or entities owned or controlled by the Government of the People’s Republic of China;

(ii) which United States direct-to-consumer genetic testing companies may have amplified those risks and vulnerabilities, and have plans for such mitigation, including the extent to which the intelligence community has determined—

(i) in which United States direct-to-consumer genetic testing companies have the Government of the People’s Republic of China or entities owned or controlled by the Government of the People’s Republic of China have an ownership interest; and

(ii) which United States direct-to-consumer genetic testing companies may have sold data to the Government of the People’s Republic of China or entities owned or controlled by the Government of the People’s Republic of China;

(C) Such recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the
Government of the People’s Republic of China.

(4) FORM.—The report required by paragraph (2) shall be submitted in unclassified form, unless the head of each element of the intelligence community shall:

(a) in general.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on how elements of the intelligence community are exercising hiring flexibilities and expedited human resources practices afforded under section 322 of title 5, United States Code, and part D of part 315 of title 45, Code of Federal Regulations, or successor regulation, to assure quality and diversity in the workforce of the intelligence community.

(b) IN NO EVENT.—The report submitted under subsection (a) shall include identification of any obstacles encountered by the intelligence community in exercising the authorities described in such subsection.

SEC. 322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPEDITED HUMAN RESOURCES PRACTICES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY. (a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on how elements of the intelligence community are exercising hiring flexibilities and expedited human resources practices afforded under section 322 of title 5, United States Code, and part D of part 315 of title 45, Code of Federal Regulations, or successor regulation, to assure quality and diversity in the workforce of the intelligence community.

(b) OBSTACLES.—The report submitted under subsection (a) shall include identification of any obstacles encountered by the intelligence community in exercising the authorities described in such subsection.

SEC. 323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES AND REQUIREMENTS. (a) REPORT REQUIRED.—Not later than 30 years after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

(b) ELEMENTS.—The report required by subsection (a) shall cover the following:

(1) The implementation of the annual process for advising the Director on signals intelligence priorities and requirements described in section 5 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual process.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT. (a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall assess the demand for a student loan repayment program benefit.

(b) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, unless the head of each element of the intelligence community shall:

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, unless the head of each element of the intelligence community shall:

(1) conduct a survey of the open source intelligence requirements, goals, monetary and property investments, and capabilities for each element of the intelligence community;

(2) evaluate the usability and utility of the Open Source Intelligence Community, Plan for Improving Usability of Open Source Enterprise, and Risk Analysis of Creating Open Source Center—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop a strategy for open source intelligence collection, analysis, and production that defines the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community.

(b) ASSESSMENT OF INTELLIGENCE COMMUNITY DEMAND FOR CHILD CARE. (a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community specified in subsection (b), shall submit to the congressional intelligence committees a report that includes:

(1) a calculation of the total annual demand for child care by employees of such elements, at or near the workplaces of such employees, including a calculation of the demand for early morning and evening child care;

(2) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;

(3) an analysis of the costs associated with any such shortfall, including options for providing child care at or near the workplaces of employees of such elements;

(4) an identification of the advantages, disadvantages, security requirements, and costs associated with each such option;

(5) a plan to meet, by the date that is 5 years after the date of the enactment of this Act, the strategy developed under subsection (a), or the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under subsection (c), the strategy and plan developed under subsection (d), and the plan developed under subsection (e);

(b) ELEMENTS.—The elements of the intelligence community specified in subsection (a) are the following:

(1) the strategy and plan developed under subsection (a), the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under subsection (c), the strategy and plan developed under subsection (d), and the plan developed under subsection (e).

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA REPOSITORY. (a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act and using the findings of the Director for the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under subsection (c), the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community to access such repository for their specific requirements; and

(b) DERIVE OPEN SOURCE INTELLIGENCE ADVANTAGES. (a) REQUIREMENT FOR COST-SHARING MODEL.—Not later than 1 year after the date of the enactment of this Act and using the findings of the Director for the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under subsection (c), the strategy and plan developed under subsection (d), and the plan developed under subsection (e), the Director shall develop a cost-sharing model that leverages the open source intelligence investments of each element of the intelligence community for the beneficial use of the entire intelligence community.

(b) ASSESSMENT OF INTELLIGENCE COMMUNITY. (a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall jointly brief the congressional intelligence committees on:

(1) the strategy developed under paragraph (1) of subsection (b);

(2) the plan developed under paragraph (2) of such subsection;

(3) the plan developed under subsection (c); and

(4) the cost-sharing model developed under subsection (d).
which decisions about eligibility for access to classified information are governed.

(b) TRANSPARENCY.—Such section is further amended by adding at the end the following:

"(d) PUBLICATION.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

"(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

"(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a) are—

"(i) are published in the Federal Register; and

"(ii) comply with the requirements of subsection (a).

"(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.

(c) CONSISTENCY.—

"(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3511 et seq.) is amended by inserting after section 801 the following:

"SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

"(a) DEFINITIONS.—In this section:

"(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

"(2) CLASSED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

"(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

"(4) AGENCY REVIEW PANELS.—

"(A) IN GENERAL.—Each head of an agency may define in the procedures established pursuant to section 801(a), by paragraph (2) of such section:

"(i) a term of service on a panel established under subparagraph (A);

"(ii) a term of service on a panel established under subparagraph (B);

"(iii) the process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency or for whom security clearance was denied by the agency can appeal that denial or revocation within the agency.

"(B) ELEMENTS.—The process required by paragraph (4) shall include the following:

"(i) The head of the agency shall provide the covered person with a written—

"(I) detailed explanation of the basis for the decision that the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

"(II) notice of the right of the covered person to appeal to the President or Vice President, currently or formerly, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

"(ii) A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

"(C) DECISIONS.—

"(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

"(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

"(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head requests that the decision be reconsidered by the panel.

"(ii) A term of service on a panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

"(iii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

"(iv) DECISIONS.—

"(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

"(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

"(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head requests that the decision be reconsidered by the panel.

"(C) DECISIONS.—

"(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

"(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

"(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head requests that the decision be reconsidered by the panel.

"(ii) A term of service on a panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

"(iii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

"(iv) DECISIONS.—

"(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

"(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

"(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head requests that the decision be reconsidered by the panel.

"(ii) A term of service on a panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.
“(iv) Finality.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final.

(2) Classification of classified information.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the agency head determines—

“(i) necessary for the panel to hear and review an appeal under this subsection; and

“(ii) consistent with the interests of national security.

(3) Representation by counsel.—

“(A) In general.—The head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head’s agency under this subsection has an opportunity to retain counsel or other representation at the covered person’s expense.

“(B) Access to classified information.—

“(i) In general.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

“(ii) Extent of access.—Counsel or another representative may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

(4) Publication of decisions.—

“(A) In general.—Each head of an agency shall publish each final decision on an appeal under this subsection.

“(B) Requirements.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

“(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

“(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

“(iii) made available on a website that is searchable by members of the public.

“(C) Period of time for the right to appeal.—

“(1) In general.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance pursuant to any other provision of law or Executive Order or regulation, or successor regulation, for the purposes of denying a covered person the review proceedings of this section where there has been a denial of revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

“(2) Clerical amendment.—The table of sections in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

“Sec. 801B. Right to appeal.”

SEC. 402. ESTABLISHING PROCESS PARITY FOR SECURITY CLEARANCE REVOCATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)) is amended to read as follows:

“(C) Burdens of Proof.—

“(1) In general.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated by clear and convincing evidence that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

“(ii) Circumstantial.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that the adverse security clearance or access determination was made under paragraph (2) during the previous fiscal year.

“(iii) Contents.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

“(1) The number of cases and reasons for determination made under paragraph (2), disaggregated by agency.

“(2) Such other matters as the Security Executive Agent considers appropriate.

“(D) Relationship to Suitability.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purposes of denying a covered person the review proceedings of this section where there has been a denial of revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

“(E) Preservation of Roles and Responsibilities Under Executive Order 10865 and the National Security Act of 1947 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor legislation, or any other provision of law or Executive Order or regulation, or successor regulation, for the purposes of denying a covered person the review proceedings of this section where there has been a denial of revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

“SEC. 3340 CONGRESSIONAL RECORD—SENATE June 25, 2020
SEC. 403. FEDERAL POLICY ON SHARING OF DEROGATORY INFORMATION PERMITTING TO CONTRACTOR EMPLOYEES OF INDUSTRIAL SECURITY PROGRAM.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, in consultation with the principal members of the Performance Accountability Council and the Attorney General, shall issue a policy for the Federal Government on sharing derogatory information pertaining to contractor employees engaged by the Federal Government.

(b) CONSENT REQUIREMENT.—

(1) IN GENERAL.—The policy issued under subsection (a) shall require, as a condition of accepting a security clearance with the Federal Government to share covered derogatory information with the contractor employer of the contractor employee exclusively for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information.

(2) EXCEPTION.—The policy under subsection (a) shall (B) allow the contractor employee, within a specified timeframe, to address or remedy any concerns raised by the contractor employer and (C) to provide documentation pertinent to subparagraph (A) or (B) for an agency to place in relevant security clearance databases;

(7) establish a procedure by which the contractor employer of the contractor employee may consult with the Federal Government prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the Federal agency has provided;

(8) stipulate that the chief security officer of the contractor employer is prohibited from sharing covered derogatory information with other parties, including nonsecurity professionals at the contractor employer;

(9) require access to the National Industrial Security Program to comply with the policy.

(d) CONSIDERATION OF LESSONS LEARNED FROM INFORMATION-SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.—In developing the policy issued under subsection (a), the Director shall consider, to the extent available, lessons learned from the sharing of derogatory information with the contractor employers of the contractor employees engaged with the Federal Government, including through both official and personal accounts and devices.

(1) The threat posed to United States persons and persons inside the United States.

(2) The threat posed to United States personnel overseas.

(3) The threat posed to employees of the Federal Government, including through both official and personal accounts and devices.

(2) A description of which foreign governments and entities pose the greatest threats from the use of technology described in subsection (a) and the nature of those threats.

(1) Matters relating to threats described in subsection (a) as they pertain to the following:

(A) The threat posed to United States companies or companies in the United States or foreign countries to foreign governments to limit the export of technology described in subsection (a), including whether such technology is made by United States companies or companies in the United States or foreign countries to foreign governments and entities in ways that pose the threats described in such subsection.

(B) Matters relating to threats described in subsection (a) and the nature of those threats.

(d) The report submitted under subsection (a) shall be in unclassified form, but may include a classified annex.

SEC. 502. REPORT ON THREATS POSED BY USE BY FOREIGN GOVERNMENTS AND ENTITIES OF COMMERCIALALLY AVAILABLE CYBER INTRUSION AND SURVEILLANCE TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(d) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(e) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(f) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(g) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(h) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(i) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(j) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(k) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats described in subsection (b) and any remedies proposed, impacts and entities of commercially available cyber intrusion and other surveillance technology.

(2) DIVERSIFICATION.—The agencies described in this subsection are the following:

(A) The Office of the Director of National Intelligence;

(B) The Department of Homeland Security;

(C) The Department of Energy;

(D) The Department of Commerce;

(E) The Department of Defense;

(F) The Committee on Foreign Relations;

(G) The Committee on Intelligence;

(H) The Committee on Armed Services;

(I) The Committee on Banking, Housing, and Urban Affairs;

(J) The Committee on Appropriations;

(K) The Committee on Armed Services;

(L) The Committee on Intelligence;

(M) The Committee on Foreign Relations;

(N) The Committee on Commerce, Science, and Transportation;

(O) The Committee on the Judiciary;

(P) The Committee on the Budget;

(Q) The Committee on Energy and Natural Resources;

(R) The Committee on Rules and Administration.

(3) SEMICONDUCTOR SUPPLY CHAINS.—The assessment under subparagraph (A) shall include the following:

(A) An evaluation of the recommendations described in subsection (c) that the agencies consider taking, taking into account any of the recommendations (including a comprehensive estimate of requirements for appropriations to take such actions).

SEC. 504. ASSESSMENT OF CRITICAL TECHNOLOGY TRENDS RELATING TO ARTIFICIAL INTELLIGENCE, MICROCHIPS, AND SEMICONDUCTORS AND RELATED SUPPLY CHAINS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct an assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) An evaluation of the recommendations described in clause (i) for the corruption and targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law. (ii) A description of any recent actions of the officials described in clause (i) that could be considered a violation, or potential violations of United States law.

(ii) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law.

(3) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law.

SEC. 505. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND TIES OF SENOY TO THE CHINESE COMMUNIST PARTY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ‘‘appropriate committees of Congress’’ means—

(1) The Select Committee on Intelligence, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(2) The Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a report on the corruption and targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An identification of influence activities and operations employed by the Chinese Communist Party against the United States political environment, including the technology sector, specifically the employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States;

(B) An identification of influence activities and operations employed by the Chinese Communist Party against the United States political environment, including the technology sector, specifically the employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States;

(C) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law;

(D) A description of any recent actions of the officials described in clause (i) that could be considered a violation, or potential violations of United States law.

(3) Coordination.—In preparing each report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(4) SCOPE OF REPORTS.—The first report under paragraph (1) shall include comprehensive information on the matters described in subparagraph (A). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ‘‘appropriate committees of Congress’’ means—

(1) The Committee on Banking, Housing, and Urban Affairs, the Committee on Financial Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) The Committee on Banking, Housing, and Urban Affairs, the Committee on Financial Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a report on the corruption and targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An identification of influence activities and operations employed by the Chinese Communist Party against the United States political environment, including the technology sector, specifically the employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States;

(B) An identification of influence activities and operations employed by the Chinese Communist Party against the United States political environment, including the technology sector, specifically the employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States;

(C) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) that could be considered a violation, or potential violations of United States law;
Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(4) The report required pursuant to paragraph (1) shall include an unclassified executive summary, and may include a classified annex.

(c) Sense of Congress.—It is the sense of Congress that the United States should undertake every effort and pursue every opportunity to expose the corruption and illicit practices of senior officials of the Chinese Communist Party, including President Xi Jinping.

SEC. 507. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) Definition of Appropriate Committees of Congress.—In this section, the term ‘appropriate committees of Congress’ means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) Report Required.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall coordinate with the appropriate committees of Congress and the Undersecretary of State for Public Diplomacy and Public Affairs a report on the corruption and corrupt activities among Russian and other Eastern European oligarchs.

(c) Elements.—

(1) In General.—Each report required under subsection (b) shall include the following:

(A) A description of corruption and corrupt activities among Russian and other Eastern European oligarchs who support the Government of the Russian Federation, including estimates of the total assets of such oligarchs.

(B) An assessment of the impact of the corruption and corrupt activities described pursuant to subparagraph (A) on the economy and citizens of Russia.

(C) A description of any connections to, or support of, organized crime, drug smuggling, or human trafficking by an oligarch covered by subparagraph (A).

(D) A description of any information that reveals corruption and corrupt activities in Russia among oligarchs covered by subparagraph (A).

(E) A description and assessment of potential sanctions actions that could be imposed upon oligarchs covered by subparagraph (A) who support the leadership of the Government of Russia, including President Vladimir Putin.

(2) Scope of Reports.—The first report under subsection (a) shall include comprehensive analysis on the matters described in paragraph (1). Any succeeding report under subsection (a) may consist of an update or supplement to the preceding report under that subsection.

(d) Coordination.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate as follows:

(1) In preparing the assessment and descriptions required by subparagraphs (A) through (D) of subsection (c)(1), the Director of the Intelligence Community shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(2) In preparing the description and assessment required by subparagraph (E) of such subsection, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(e) For purposes of this section:

(1) In General.—Subject to paragraph (2), each report required under subsection (b) shall include an unclassified executive summary, and may include a classified annex.

(2) Unclassified Form of Certain Information.—The description in subsection (c)(1)(D) in each report under subsection (b) shall be submitted in unclassified form.

SEC. 508. REPORT ON BIOSECURITY RISK AND DISTURBANCES FROM THE CHINESE COMMUNIST PARTY AND THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) Definitions.—In this section:

(1) Appropriate Committees of Congress.—The term ‘appropriate committees of Congress’ means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Intelligence and Analysis of the Department of the Treasury, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(2) Critical Infrastructure.—The term ‘critical infrastructure’ has the meaning given such term in Chapter 7 ofSubtitle VI ofTitle X of the Counterintelligence Act, as enacted by section 1016 of the United States PATRIOT Act of 2001.

(3) Critical Infrastructure.—The term ‘critical infrastructure’ has the meaning given such term in Chapter 7 ofSubtitle VI ofTitle X of the Counterintelligence Act, as enacted by section 1016 of the United States PATRIOT Act of 2001.

(b) Report Required.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report identifying whether and how officials of the Chinese Communist Party and the Government of the People’s Republic of China may have sought—

(1) to suppress information about—

(A) the outbreak of the novel coronavirus in Wuhan;

(B) the spread of the virus through China; and

(C) the transmission of the virus to other countries;

(2) to spread disinformation relating to the pandemic; or

(3) to exploit the pandemic to advance their national security interests.

(c) Assessments.—The report required under subsection (b) shall include assessments of reported actions and the effect of those actions on efforts to contain the novel coronavirus pandemic, including each of the following:

(1) The origins of the novel coronavirus outbreak, the time and location of initial infections, and the mode and speed of early viral spread.

(2) Actions taken by the Government of China to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(3) The effect of disinformation or the failure of the Government of China to fully disclose details of the outbreak on response efforts of local governments in China and other countries.

(d) Content.—In this section, the term ‘critical infrastructure’ has the meaning given such term in Chapter 7 ofSubtitle VI ofTitle X of the Counterintelligence Act, as enacted by section 1016 of the United States PATRIOT Act of 2001.

(e) Form.—Each report under paragraph (1) shall include comprehensive analysis on the matters described in paragraph (1).

(f) Critical infrastructure activities.—The term ‘critical infrastructure activities’ has the meaning given such term in the Counterintelligence Act, as enacted by section 1016(e) of the United States PATRIOT Act of 2001.

(g) Critical infrastructure sectors.—The term ‘critical infrastructure sectors’ has the meaning given such term in the Counterintelligence Act, as enacted by section 1016(e) of the United States PATRIOT Act of 2001.

(h) Efforts to exploit the disruption of the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in the region to such acquisition, including the potential for proliferation by other countries in the region to such acquisition, including the potential for proliferation by other countries in the region, as well as to accelerate economic espionage and intellectual property theft.

(i) Efforts to disrupt the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(j) Efforts to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(k) Efforts to control, restrict, or manipulate relevant segments of the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(l) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(m) Efforts to disrupt the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in the region to such acquisition, including the potential for proliferation by other countries in the region to such acquisition, including the potential for proliferation by other countries in the region, as well as to accelerate economic espionage and intellectual property theft.

(n) Efforts to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(o) Efforts to control, restrict, or manipulate relevant segments of the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(p) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(q) Efforts to disrupt the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in the region to such acquisition, including the potential for proliferation by other countries in the region to such acquisition, including the potential for proliferation by other countries in the region, as well as to accelerate economic espionage and intellectual property theft.

(r) Efforts to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(s) Efforts to control, restrict, or manipulate relevant segments of the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(t) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(u) Efforts to disrupt the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in the region to such acquisition, including the potential for proliferation by other countries in the region to such acquisition, including the potential for proliferation by other countries in the region, as well as to accelerate economic espionage and intellectual property theft.

(v) Efforts to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(w) Efforts to control, restrict, or manipulate relevant segments of the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(x) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(y) Efforts to disrupt the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in the region to such acquisition, including the potential for proliferation by other countries in the region to such acquisition, including the potential for proliferation by other countries in the region, as well as to accelerate economic espionage and intellectual property theft.

(z) Efforts to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(aa) Efforts to control, restrict, or manipulate relevant segments of the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(bb) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(cc) Efforts to disrupt the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in the region to such acquisition, including the potential for proliferation by other countries in the region to such acquisition, including the potential for proliferation by other countries in the region, as well as to accelerate economic espionage and intellectual property theft.

(dd) Efforts to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(ee) Efforts to control, restrict, or manipulate relevant segments of the supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.
implications for the national security of the United States.

(5) The threat that such acquisition could present to the Armed Forces of the United States, Special Forces allied with the United States, and of countries partnered with the United States stationed in or deployed in the region;

(6) The potential that such acquisition could be used to deliver chemical, biological, or nuclear weapons.

(7) The potential for the Government of the Islamic Republic of Iran to proliferate weapons acquired in the absence of an arms embargo to regional groups, including Shi'a militia groups backed by such government.

(d) Form.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 510. REPORT ON IRANIAN ACTIVITIES RELATING TO NUCLEAR NONPROLIFERATION.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate;

and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing—

(1) any relevant activities potentially relating to nuclear weapons research and development by the Islamic Republic of Iran; and

(2) any relevant efforts to afford or deny international access in accordance with international nonproliferation agreements.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments, for the period beginning on January 1, 2018, and ending on the date of the submittal of the report, of the following:

(1) Activities to research, develop, or enrich uranium or reprocess plutonium with the intent or capability of creating weapons-grade nuclear material.

(2) Research, development, testing, or design activities that could contribute to or inform construction of a device intended to initiate or capable of initiating a nuclear explosion.

(3) Efforts to receive, transmit, store, destroy, relocate, archive, or otherwise preserve research, processes, products, or enabling materials relevant or relating to any efforts assessed under paragraph (1) or (2).

(4) Efforts to afford or deny international access, in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activities described in paragraph (1), (2), or (3).

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 511. SENSE OF CONGRESS ON THIRD OPTION FOUNDATION.

It is the sense of the Congress that—

(1) the work of the Third Option Foundation to heal, help, and honor members of the special operations community of the Central Intelligence Agency and their families is invaluable; and


SA 1816. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Intelligence Authorization Act for Fiscal Year 2021." (b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

DIVISION—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.


Sec. 304. Continuation of operations plans for certain elements of the intelligence community in the case of a national emergency.

Sec. 305. Application of Executive Schedule level III to position of Director of National Reconnaissance Office.

Sec. 306. National Intelligence University.

Sec. 307. Requiring facilitation of establishment of Social Media Data and Threat Analysis Center.

Sec. 308. Data collection on attrition in intelligence community.

Sec. 309. Limitation on delegation of responsibility for program management of information-sharing programs.

Sec. 310. Improvements to provisions relating to intelligence community information technology environment.

Sec. 311. Requirements and authorities for Director of the Central Intelligence Agency to improve education in science, technology, engineering, arts, and mathematics.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

Sec. 312. Assessment by the Comptroller General of the United States on efforts of the intelligence community and the Department of Defense to identify and mitigate risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People’s Republic of China.

Sec. 313. Report on use by the intelligence community of hiring flexibilities and expedited human resources practices to assure quality and diversity in the workforce of the intelligence community.

Sec. 314. Report on signals intelligence priorities and requirements.

Sec. 315. Assessment of demand for student loan repayment program benefits.

Sec. 316. Establishing intelligence community demand for child care.

Sec. 317. Open source intelligence strategies and plans for the intelligence community.

TITLE IV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

Sec. 401. Exclusivity, consistency, and transparency in security clearance procedures, and right to appeal.

Sec. 402. Establishing process parity for security clearance revocations.

Sec. 403. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce.

TITLE V—REPORTS AND OTHER MATTERS

Sec. 501. Secure and trusted technology.

Sec. 502. Report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.

Sec. 503. Report on efforts posed by use by foreign governments and entities of commercially available cyber intrusion and surveillance technologies.

Sec. 504. Reports on recommendations of the Cyberspace Solarium Commission.

Sec. 505. Assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

Sec. 506. Combating Chinese influence operations in the United States and strengthening civil liberties protections.

Sec. 507. Annual report on corrupt activities of senior officials of the Chinese Communist Party.

Sec. 508. Report on covert activities of Russian and other Eastern European oligarchs.


Sec. 511. Report on Iranian activities relating to nuclear reprogramming.

Sec. 512. Sense of Congress on Third Option Foundation.
SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term "congressional intelligence committees" means each of the committees specified in the classified Schedule of Authorizations referred to in section 101, and the intelligence community committee referred to in subsection (b) for that emergency for the element of the intelligence community concerned.

(2) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE AGENCY, DIRECTOR OF NATIONAL SECURITY AGENCY, AND DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit to Congress a report on the plans submitted under subsection (b) for that emergency for the element of the intelligence community concerned to the following:

(A) The congressional intelligence committees.

(B) The Committee on Armed Services of the Senate.

(C) The Committee on Armed Services of the House of Representatives.

(D) The Committees on Intelligence of the House of Representatives and the Senate.

(E) The Defense Intelligence Agency, the National Geospatial-Intelligence Agency, and the National Reconnaissance Office.

(F) The Director of the National Security Agency.

(TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM)

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $531,000,000 for fiscal year 2021.

TITLe III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. CLARIFICATION OF AUTHORIZATIONS AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFORMATION SYSTEMS SECURITY.

In carrying out the authorities and responsibilities of the National Manager for National Security Telecommunications and Information Systems Security under National Security Directive 42 (signed by the President on July 5, 1990), the National Manager shall not supervise, oversee, or execute, either directly or indirectly, any aspect of the National Intelligence Program.

SEC. 304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

(a) DEFINITION OF COVERED NATIONAL EMERGENCY.—In this section, the term "covered national emergency" means the following:

(1) A major disaster declared by the President under section 501 of the Federal Emergency Management Act (42 U.S.C. 5121).

(2) An emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) REQUIREMENTS.—During a covered national emergency, the National Manager for National Security Telecommunications and Information Systems Security shall:

(1) ensure that all plans submitted under this section and the plans submitted under section 305 are consistent with the requirements.

SEC. 305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.

SEC. 306. NATIONAL INTELLIGENCE UNIVERSITY.

(a) IN GENERAL.—Title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding at the end the following:

"Subtitle D—National Intelligence University"

"SEC. 1031. TRANSFER DATE.

"In this subtitle, the term 'transfer date' means the date on which the National Intelligence University is transferred from the Defense Intelligence Agency to the National Intelligence University under section 5324(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

"SEC. 1032. DEGREE-GRAINING AUTHORITY.

"(a) IN GENERAL.—Beginning on the transfer date, under regulations prescribed by the Director of National Intelligence, the President may, upon the recommendation of the Secretary of Defense, grant to an eligible graduate who meets the degree requirements:

"(1) A degree at any level not previously conferred to an eligible graduate who meets the degree requirements.

"(b) LIMITATION.—A degree may not be conferred under this section unless—

"(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

"(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the Director of National Intelligence; and

"(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—"
(1) ACTIONS ON NONACCREDITATION.—Beginning on the transfer date, the Director shall promptly—
(A) notify the congressional intelligence committees by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and
(B) submit to such committees a report containing an explanation of any such action.

(2) MODIFICATION OR REDESIGNATION OF DEGREE-GRANTING AUTHORITY.—Beginning on the transfer date, upon any modification or redesignation of degree-granting authority, the Director shall submit to the congressional intelligence committees a report containing—
(A) the rationale for the proposed modification or redesignation; and
(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.

(a) AUTHORITY OF DIRECTOR.—Beginning on the date of the enactment of this Act, the Director may employ as many professors, instructors, and lecturers at the National Intelligence University as the Director deems necessary.

(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Director.

(c) COMPENSATION PLAN.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with no reduction in pay) or under the authority of this section.

SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.

The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Security Authority under section 216(e) of title 10, United States Code.

SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT TO THE BOARD OF VISITORS.

The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University on and after the transfer date.

(b) CONFORMING AMENDMENTS.—Section 5324 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—
(1) in subsection (b)(1)(C), by striking “subsection (e)(2)” and inserting “section 1032(b) of the National Security Act of 1947”;
(2) by striking subsections (e) and (f); and
(3) by redesigning subsections (g) and (h) as subsections (f) and (g), respectively.

(c) CLEANCORE.—The table of contents of the National Security Act of 1947 is amended by inserting after the item relating to title 10 the following:

Subtitle D—National Intelligence University

“Sec. 1031. Transfer date.

“Sec. 1032. Degree-granting authority.

“Sec. 1033. Eligibility, employment, and compensation.

“Sec. 1034. Acceptance of faculty research grants.

“Sec. 1035. Continued applicability of the Federal Advisory Committee Act to the Board of Visitors.”.

SEC. 307. REQUIRING FACILITATION OF ESTABLISHMENT OF SOCIAL MEDIA DATA AND THREAT ANALYSIS CENTER.

(a) REQUIREMENT TO FACILITATE ESTABLISHMENT.—Subsection (c)(1) of section 5323 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, by striking “may” and inserting “shall”.

(b) DEADLINE TO FACILITATE ESTABLISHMENT.—Such amendment is further amended by striking “The Director” and inserting “Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director”.

(c) COMPETING AMENDMENTS.—
(1) REPORTING AMENDMENTS.—Subsection (d) of such section is amended—
(A) in the matter before paragraph (1), by striking “If the Director” and all that follows through “the Center, the” and inserting “The”; and
(B) in paragraph (1), by striking “180 days after the date of the enactment of this Act” and inserting “180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021”.

(2) FUNDING AMENDMENT.—(i) Such amendment is further amended by striking “fiscal year 2020 and 2021” and inserting “fiscal year 2021 and 2022”.

(3) CLEANCORE.—Subsection (c) of such section is amended—
(A) in the subsection heading, by striking “AUTHORITY” and inserting “REQUIREMENT”; and
(B) in paragraph (1), in the paragraph heading, by striking “AUTHORITY” and inserting “REQUIREMENT”.

SEC. 308. DATA COLLECTION ON ATTRITION IN INTELLIGENCE COMMUNITY.

(a) STANDARDS FOR DATA COLLECTION.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for collecting data relating to attrition in the intelligence community workforce across demographics, specialties, and length of service.

(2) INCLUSION OF CERTAIN CANDIDATES.—The Director shall include in the standards established under paragraph (1) standards for collecting data from candidates who accepted conditional offers of employment but chose to withdraw from the hiring process before entering into service, including data with respect to the reasons such candidates chose to withdraw.

(b) COLLECTION OF DATA.—Not later than 120 days after the date of the enactment of this Act, each element of the intelligence community shall begin collecting data on workforce and candidate attrition in accordance with the standards established under subsection (a).

(c) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director shall submit to the congressional intelligence committees a report on workforce and candidate attrition in the intelligence community that includes—
(1) the findings of the Director based on the data collected under subsection (b); (2) recommendations for addressing any issues identified in those findings; and
(3) an assessment of timeliness in processing hiring applications of individuals previously employed by an element of the intelligence community, consistent with the Trusted Workforce 2.0 initiative sponsored by the Security Clearance, Suitability, and Credentialing Performance Accountability Council.

SEC. 309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.

(a) IN GENERAL.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 854(b)), as amended by subsection (a) of the Intelligence Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—
(1) in paragraph (1), in the matter before subparagraph (A), by striking “Director of National Intelligence” and inserting “President”;
(2) in paragraph (2), by striking “Director of National Intelligence” both places it appears and inserting “President”; and
(3) by adding at the end the following:

“(C) DELEGATION.—(A) IN GENERAL.—Subject to subparagraph (B), the President may delegate responsibility for carrying out this subsection.

“(B) LIMITATION.—The President may not delegate responsibility for carrying out this subsection to the Director of National Intelligence.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020.

SEC. 310. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

Section 6102 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking subsections (e) through (i) and inserting the following:

“(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a long-term roadmap for the intelligence community information technology environment.

“(B) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a business plan to implement the long-term roadmap required by subsection (e).”.

SEC. 311. REQUIREMENTS AND AUTHORITY FOR DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY TO IMPROVE EDUCATION, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 551 et seq.) is amended by adding the following:

“Sec. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.—

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

“(2) EDUCATIONAL INSTITUTION.—The term ‘educational institution’ includes any public or private elementary school or secondary school, community college, university, or any other profit or nonprofit institution that is dedicated to improving science, technology, engineering, the arts, and mathematics; and

“(3) STATE.—The term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Outlying Areas of the United States, the possessions of the United States, and any other territory or possession of the United States.”

The Central Intelligence Agency Act of 1949 (50 U.S.C. 551 et seq.) is amended by adding the following:
Subtitle B—Reports and Assessments
Pertaining to Intelligence Community


(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess the efforts of the intelligence community and the Department of Defense to identify and mitigate the risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

(b) REPORT REQUIRED.—

(1) DEFINITION OF UNITED STATES DIRECT-TO-CONSUMER GENETIC TESTING COMPANY.—In this subsection, the term "United States direct-to-consumer genetic testing company" means a private entity that—

(A) carries out direct-to-consumer genetic testing; and

(B) is organized under the laws of the United States or any jurisdiction within the United States.

(2) REQUIREMENTS.—The Director shall, not later than 180 days after the date of the enactment of this Act, submit to the Congress a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The signals intelligence priorities and requirements described in section 3 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual assessment.

(3) The application of such priorities and requirements to the signals intelligence collection efforts of the intelligence community.


(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPENDED HUMAN RESOURCES SOURCES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The implementation of the annual process for assessing the Director on signals intelligence priorities and requirements described in section 3 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual assessment.

(3) The application of such priorities and requirements to the signals intelligence collection efforts of the intelligence community.


(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall—

(1) calculate the number of personnel of that element who qualify for a student loan repayment program benefit; and

(2) provide any information and data required by the Comptroller General to conduct the assessment required by subsection (a); and

(3) provide recommendations for how to structure such a program to optimize participation and enhance the effectiveness of the benefit as a recruitment tool, including with respect to the amount of the benefit offered and the length of time an employee receiving a benefit is required to serve under a continuing service agreement.

(b) FORM.—The report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.
(b) INCLUSION IN FISCAL YEAR 2022 BUDGET SUBMISSION.—The Director of National Intelligence shall include in the budget justification materials submitted to Congress in support of the budget for the intelligence community for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the findings of the elements of the intelligence community under subsection (a).

SEC. 235. ASSESSMENT OF INTELLIGENCE COMMUNITY DEMAND FOR CHILD CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community specified in subsection (b), shall submit to the congressional intelligence committees a report that includes—

(1) a calculation of the total annual demand for child care by employees of such elements, at or near the workplaces of such employees, including a calculation of the demand for early morning and evening child care;

(2) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;

(3) a plan to meet, by the date that is 5 years following the date of the report—

(A) an identification of options for addressing any such shortfall, including options for providing child care at or near the workplaces of employees of such elements;

(B) an alternative standard established by the Director of National Intelligence for child care available to employees of such elements; and

(4) an assessment of needs of specific elements of the intelligence community, including any Government-provided child care that could be collocated with a workplace of employees of such an element and any available child care providers in the proximity of such a workplace.

(b) ELEMENTS SPECIFIED.—The elements of the intelligence community specified in this subsection on the date of the report—

(1) The Central Intelligence Agency.

(2) The National Security Agency.

(3) The Defense Intelligence Agency.

(4) The National Geospatial-Intelligence Agency.

(5) The National Reconnaissance Office.

(6) The Office of the Director of National Intelligence.

SEC. 236. OPEN SOURCE INTELLIGENCE STRATEGIES AND PLANS FOR THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR SURVEY AND EVALUATION OF CUSTOMER FEEDBACK.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the head of each element of the intelligence community, shall—

(1) conduct a survey of the open source intelligence requirements, goals, monetary and property investments, and capabilities for each element of the intelligence community;

(2) evaluate the usability and utility of the Open Source Enterprise by soliciting customer feedback and evaluating such feedback;

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RESULTS ANALYSIS OF OPEN SOURCE CENTER.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community and using the findings of the Director with respect to the survey conducted under subsection (a), shall—

(1) develop a strategy for open source intelligence collection, analysis, and production that defines the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community;

(2) develop a plan for improving usability and utility of the Open Source Enterprise based on the customer feedback solicited under subsection (a); and

(3) conduct a risk and benefit analysis of creating an open source center independent of any current intelligence community element.

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA RESOURCE.—Not later than 270 days after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community—

(1) to use such repository for the following:

(A) to use such repository for their specific requirements; and

(B) to derive open source intelligence advantages.

(d) REQUIREMENT FOR COST-SHARING MODEL.—Not later than 1 year after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a cost-sharing model that leverages the open source intelligence investments of each element of the intelligence community for the beneficial use of the entire intelligence community.

(e) CONSISTENCY.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall jointly brief the congressional intelligence committees on—

(1) the strategy developed under paragraph (1) of subsection (a);

(2) the plan developed under paragraph (2) of such subsection;

(3) the plan developed under subsection (c); and

(4) the cost-sharing model developed under subsection (d).

TITLE IV—SECURITY CLEARANCES AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES, AND RIGHT TO APPEAL

SEC. 401. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES, AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

“(d) PUBLICATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

(B) submit to Congress a certification that such procedures are consistently in effect that govern access to classified information as described in subsection (a).

“(2) RIGHT TO APPEAL.—In section 801A the following:

“(A) DEFINITIONS.—In this section:

“(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘Executive agency’ in section 105 of title 5, United States Code.

“(2) CLASSIFIED INFORMATION.—The term ‘classified information’ includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

“(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term ‘eligibility for access to classified information’ means the criteria for access to classified information set forth under subpart A of title 32, Code of Federal Regulations, or successor regulations, shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.

“(B) TRANSPARENCY.—(i) The President and Vice President, currently or formerly employed in, detailed to, assigned

“(ii) a coercion or reprisal described in section 2302(b)(2) of title 5, United States Code; and

“(iii) a violation of section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.
to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

(A) A member of the Armed Forces.

(B) A civilian.

(C) An expert or consultant with a contractual or personnel obligation to an agency.

(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

(3) No person is entitled to access to classified information or to classified materials by the procedures established pursuant to section 801(a).

(4) NEED FOR ACCESS.—The term ‘need for access’ has such meaning as the President may define in the procedures established pursuant to section 801(a).

(5) RECIPROCITY OF CLEARANCE.—The term ‘reciprocity of clearance’, with respect to a covered person, has such meaning as the President may define in the procedures established pursuant to section 801(a).

(a) a request from the covered person for copies of such documents as—

(b) section 522a of such title (commonly known as the ‘Privacy Act of 1974’); and

(c) such other provisions of law relating to the protection of confidential sources and privacy of informants as the President determines are relevant to a particular case, redacting personally identifiable information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses with respect to such information would be inconsistent with the interests of national security.

(b) The head of a covered person shall have the opportunity to retain counsel or other representation at the covered person’s expense.

(iv)(A) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

(bb) section 3341(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(d));

(B) failed to accept a transferred security clearance background investigation required by paragraph (1) of this section; and

(C) subjected the covered person to an additional investigative or adjudicative requirement in violation of paragraph (3) of this section.

(D) conducted an investigation in violation of paragraph (4) of this section.

(6) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the officer serving as the Security Executive Agent pursuant to section 803.

(7) AGENCY REVIEW PANEL.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, each head of an agency shall, consistent with the interests of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency or for whom reciprocity of clearance was denied by the agency can appeal that denial or revocation within the agency.

(A) IN GENERAL.—Each head of an agency shall establish a process for the appeal of a decision under this subsection that establishes a panel under subparagraph (A) or overrules a decision of an appeal panel under subparagraph (A).

(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

(3) AGENCY REVIEW PANELS.—

(A) IN GENERAL.—Each head of an agency shall establish an appeal process for appeals under this subsection.

(B) MEMBERSHIP.—

(i) Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

(C) DECISIONS.—

(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

(ii) CONSISTENCY.—Each decision of a panel shall be consistent with the interests of national security and applicable provisions of law.

(iii) OVERTURN.—The head of an agency may overrule a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head determines that the authority granted by this clause to overturn such decision.

(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overruled pursuant to clause (iii) of this subparagraph shall be final.

(D) ACCESS TO CLASSIFIED INFORMATION.—

The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the covered person if the panel as the agency head determines—

(i) necessary for the panel to hear and review an appeal under this subsection; and

(ii) necessary for the panel to hear and review an appeal under this subsection and consistent with the interests of national security.

(4) REPRESENTATION BY COUNSEL.—

(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head’s agency under this subsection has an opportunity to retain counsel or other representation at the covered person’s expense.

(B) ACCESS TO CLASSIFIED INFORMATION.—

(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subsection shall be afforded access to relevant classified materials to the extent consistent with the interests of national security.

(C) PUBLICATION OF DECISIONS.—

(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

(i) made in a manner that is consistent with section 522a of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

(iii) made available on a website that is searchable by members of the public.

(C) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

(i) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeals process under this section.

(ii) WAIVER OF RIGHTS.—

(A) PERSONS.—Any covered person may voluntarily waive the covered person’s right to appeal under this section and such waiver shall be conclusive.

(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person’s right to appeal under this section for any reason.

(D) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

(i) IN GENERAL.—If the head of an agency determines that a procedure established under subsection (b) cannot be made available to a covered person in an exceptional case without damage to national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

(ii) DETERMINATION.—A determination under paragraph (1) shall be final and conclusive.
and may not be reviewed by any other official or by any court.

"(3) REPORTING.—

(A) CASH-BY-CASE.—

(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under subsection (b) cannot be made available to a covered person, the agency head shall, not later than 30 days after the date on which the agency head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

(B) ANNUAL REPORTS.—

(i) PURPOSE.—In purpose of less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered—

(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

(1) the official making the determination knew of the disclosure; and

(2) the determination occurred within a period such that a reasonable person could conclude that it was a contributing factor in the determination.

(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.

SEC. 403. FEDERAL POLICY ON SHARING OF DEROGATORY INFORMATION PER TAINING TO CONTRACTOR EMPLOYEE OF THE TRUSTED WORKFORCE.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the principal members of the Performance Accountability Council and the Attorney General, shall issue a policy for the protection of contractors that engages in sharing derogatory information pertaining to contractor employees engaged by the Federal Government.

(b) CONSENT REQUIREMENT.—

(1) IN GENERAL.—The policy issued under subsection (a) shall require, as a condition of accepting a security clearance with the Federal Government, that a contractor employee provide prior written consent for the Federal Government to share covered derogatory information with the chief security officer of the contractor employer that employs the contractor employee.

(2) COVERED DEROGATORY INFORMATION.—For purposes of this section, covered derogatory information—

(A) is information that—

(i) contravenes National Security Adjudicative Guidelines as specified in Security Executive Agent Directive 4 (10 C.F.R. 710 app. A), or any successor Federal policy; or

(ii) is information other than classified information that—

(I) is accurate and reliable;

(II) has been determined by the Security Executive Agent to be reliable;

(III) is accurate and complete;

(IV) contains a sound basis for the determination; and

(V) would, if made, pose an imminently serious threat to national security;

(iii) LIMITATIONS.—The policy issued under subsection (a) shall not require that the following information be shared:

(A) information on an individual who is engaged by the Federal Government, that a contractor employee provide prior written consent for the Federal Government to share covered derogatory information with the chief security officer of the contractor employer that employs the contractor employee.

(b) CONTENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of the contractor employee engaged by the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guidelines in with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information; and

(4) establish standards for timeliness for sharing the derogatory information with the contractor employer.

(c) ELEMENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of the contractor employee engaged by the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guidelines in with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information; and

(4) establish standards for timeliness for sharing the derogatory information with the contractor employer.

(b) CONTENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of the contractor employee engaged by the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guidelines in with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information; and

(4) establish standards for timeliness for sharing the derogatory information with the contractor employer.

(c) ELEMENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of the contractor employee engaged by the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guidelines in with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information; and

(4) establish standards for timeliness for sharing the derogatory information with the contractor employer.
prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the agency has provided; and
(ii) stipulate that the chief security officer of the contractor employer is prohibited from sharing or discussing covered derogatory information with other parties, including nonsecurity professionals at the contractor employer; and
(ii) require companies in the National Industrial Security Program to comply with the policy.

(d) CONSIDERATION OF LESSONS LEARNED FROM INFORMATION-SHARING PROGRAMS FOR POSTWAR SECURITY ORGANIZATION CHANGES.—In developing the policy issued under subsection (a), the Director shall consider, to the extent available, lessons learned from the Cops takes on carry out section 6611(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

TITLE V—REPORTS AND OTHER MATTERS

SEC. 501. SECURE AND TRUSTED TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘‘appropriate committees of Congress’’ means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Intelligence of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) FIFTH-GENERATION WIRELESS NETWORK.—

(II) LIMITATION ON GRANT AMOUNTS.—The amount granted under paragraph (I) shall be not more than $500,000.

(III) PROMOTING THE APPLICATION OF NETWORK FUNCTION VIRTUALIZATION.—The Director of the Intelligence Advanced Research Projects Activity may award grants to support research and development for the commercial application of network function virtualization to improve the interoperability of equipment for networks.

(IV) MANAGING INTEGRATION OF MULTIVENDOR NETWORK ENVIRONMENTS.—The Director of the Intelligence Advanced Research Projects Activity may award grants to support research and development to improve the integration and availability of equipment in multivendor networks.

(V) PROMOTING INTEROPERABILITY OF TRUSTED SUPPLIERS.—The Director of the Intelligence Advanced Research Projects Activity may award grants to support research and development to improve the interoperability of equipment for networks.

(VI) PROMOTING DEVELOPMENT AND INCLUSION OF COMPATIBLE INTEROPERABLE EQUIPMENT.—The Director of the Intelligence Advanced Research Projects Activity may award grants to support research and development to improve the development and inclusion of compatible interoperable equipment.

(VII) ASSISTING IN THE DEVELOPMENT OF NEW MULTI-VENDOR NETWORKING SOLUTIONS.—The Director of the Intelligence Advanced Research Projects Activity may award grants to support research and development to improve the development of new multivendor networking solutions.

(VIII) PROMOTING THE APPLICATION OF NEW SECOND-GENERATION WIRELESS NETWORKS.—The Director of the Intelligence Advanced Research Projects Activity may award grants to support research and development to improve the application of new second-generation wireless networks.

(3) SECURITY FUND.—

(aa) DETERMINATION.—The term ‘‘Security Fund’’ means a radio network as described in section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, that is owned by a security-protected department, agency, or other entity.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Security Fund after the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(bb) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(B) GRANTS.—

(I) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall award grants to support research and development and the commercial application of such research, including in the following areas:

(aa) Promoting the development of technology, including software, hardware, and microprocessor technology, that will enhance competitiveness in fifth-generation (commonly known as ‘‘5G’’) and successor wireless technology supply chains.

(bb) Accelerating development and deployment of open interface, standards-based compatible equipment such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, the O-RAN Light Network Community, or any successor organizations.

(cc) Promoting compatibility of new fifth-generation wireless network equipment with future open standards-based interoperable equipment.

(dd) Managing integration of multivendor network environments.

(ee) Objective criteria to define equipment as compliant with open standards for multivendor network equipment interoperability.

(ff) Developing a framework for inclusion of security features enhancing the integrity and availability of equipment in multivendor networks.

(gg) Authorizing the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor market.

(ii) AMOUNT.—

(I) IN GENERAL.—Subject to clause (II), a grant awarded under clause (i) shall be in such amount as the Director of the Intelligence Advanced Research Projects Activity may consider appropriate.

(II) LIMITATION ON GRANT AMOUNTS.—The amount granted under this paragraph to a recipient for a specific research focus area may not exceed $100,000,000.

(iii) CRITERIA.—The criteria for the award of grants shall be in the discretion of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(iv) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).

(F) FEDERAL ADVISORY BODY.—

(A) ESTABLISHMENT OF FUND.—There is established in the National Institute of Standards and Technology a fund to be known as the ‘‘Multilateral Telecommunications Security Fund’’.

(B) ESTABLISHMENT.—There is established in the Multilateral Telecommunications Security Fund.

(C) FEDERAL ADVISORY BODY.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘‘Multilateral Telecommunications Security Fund’’. The fund shall be used to establish the Multilateral Telecommunications Security Fund.

(ii) USE OF AMOUNTS.—Amounts in the Multilateral Telecommunications Security Fund shall be used to establish the Multilateral Telecommunications Security Fund.

(D) CONTENTS OF FUND.—

(i) IN GENERAL.—The Multilateral Telecommunications Security Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(B) and such other amounts as may be appropriated or otherwise made available to the Director of the Intelligence Advanced Research Projects Activity by other law.

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the Multilateral Telecommunications Security Fund shall be deposited in the general fund of the Treasury.
SEC. 502. REPORT ON ATTEMPTS BY FOREIGN ADVERSARIES TO BUILD TELECOMMUNICATIONS AND CYBERSECURITY EQUIPMENT AND SERVICES FOR, OR TO PROVIDE SUCH EQUIPMENT AND SERVICES TO, CERTAIN ALLIES OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) IN GENERAL.—The term "foreign adversary" means—

(A) a foreign country;

(B) an organization, establishment, or person described in section 102(b)(19) of the Crime Control and Safe Streets Act of 1990 (42 U.S.C. 14051 note); or

(C) a foreign person.

(2) INDEPENDENT COUNTRY.—The term "independent country" means a country that is not an ally of the United States.

(b) REPORTS REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.

(c) CONTENTS.—The report submitted under subsection (b) shall include the following:

(1) an analysis of the threats posed by the use by foreign governments and entities of technology described in subsection (a), including matters relating to the following:

(A) Working with the technology and telecommunications industry to identify and improve the security of consumer software and hardware used by United States persons and persons inside the United States that is targeted by commercial cyber intrusion and surveillance software.

(B) Export controls.

(C) Diplomatic pressure.

(D) Trade agreements.

(E) Other means available to the United States.

(2) Matters relating to how the Federal Government, Congress, and foreign governments can most effectively mitigate the threats described in subsection (a), including matters relating to the following:

(A) Working with the technology and telecommunications industry to identify and improve the security of consumer software and hardware used by United States persons and persons inside the United States that is targeted by commercial cyber intrusion and surveillance software.

(B) Export controls.

(C) Diplomatic pressure.

(D) Trade agreements.

(3) The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.
exclude an analysis of the potential effects of semiconductor supply chains, including artificial intelligence, microchips, and semiconductor and related supply chains.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall conduct an assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductor and related supply chains.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) EXPORT CONTROLS.—(A) In general.—An assessment of efforts by partner countries to enact and implement export controls and other technology transfer measures with respect to artificial intelligence, microchips, advanced manufacturing equipment, and other artificial intelligence technology critical to United States supply chains.

(B) IDENTIFICATION OF OPPORTUNITIES FOR COOPERATION.—The assessment under subparagraph (A) shall identify opportunities for further cooperation with international partners on a multilateral and bilateral basis to strengthen export control regimes and address relevant threats.

(2) SEMICONDUCTOR SUPPLY CHAINS.—(A) In general.—An assessment of global semiconductor supply chains, including areas to reduce United States vulnerabilities and maximize points of leverage.

(B) ANALYSIS OF POTENTIAL EFFECTS.—The assessment under subparagraph (A) shall include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.

(C) IDENTIFY OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under subparagraph (A) shall also identify opportunities for diversification of United States supply chains by assessing alternative supplier challenges, and opportunities to diversify manufacturing capabilities on a multinational basis.

(D) COMPUTING POWER.—An assessment of trends relating to computing power and the effect of such trends on global artificial intelligence development and implementation, in consultation with the Director of the Intelligence Advanced Research Projects Activity, the director of the Defense Advanced Research Projects Agency, and the Director of the National Institute of Standards and Technology, including forward-looking assessments of how computing resources may affect United States national security, innovation, and implementation relating to artificial intelligence.

(c) REPORT.—(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ‘‘appropriate committees of Congress’’ means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate;

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Financial Services, the Committee on the Judiciary, the Committee on Intelligence, the Committee on the Judiciary, the Committee on Foreign Relations, and the Select Committee on Intelligence of the House of Representatives.

(2) TECHNICAL CORRECTIONS.—The National Security Act of 1947 (50 U.S.C. 3201 et seq.) is amended—

(A) in the section heading, by striking ‘‘COMMUNIST PARTY OF CHINA’’ and inserting ‘‘CHINESE COMMUNIST PARTY’’; and

(B) by striking ‘‘Communist Party of China’’ both places it appears and inserting ‘‘Chinese Communist Party’’; and

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 506. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND STRENGTHENING CIVIL LIBERTIES PROTECTIONS.

(a) UPDATES TO ANNUAL REPORTS ON INFLUENCE OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY THE CHINESE COMMunist PARTY.—Section 1107(b) of the National Security Act of 1947 (50 U.S.C. 3237(b)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

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

‘‘(8) An identification of influence activities and operations employed by the Chinese Communist Party against the United States science and technology sectors, specifically empirical employment threats from researchers, scientists, and students in the science and technology sector in the United States.’’

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a plan—

(A) to increase public awareness of influence activities by the Government of the People’s Republic of China; and

(B) to publicize mechanisms that members of the public can use—

(i) to detect such activities; and

(ii) to report such activities to the Bureau.

(2) CONSULTATION.—In carrying out paragraph (1), the Director shall consult with the following:

(A) The Director of the Office of Science and Technology Policy.

(B) Such other stakeholders outside the intelligence community, including professional associations, institutions of higher education, businesses, and civil rights and multicultural organizations, as the Director determines relevant.

(c) RECOMMENDATIONS OF THE FEDERAL BUREAU OF INVESTIGATION TO STRENGTHEN RELATIONSHIPS AND BUILD TRUST WITH COMMUNITIES OF INTEREST.—

(1) IN GENERAL.—The Federal Bureau of Investigation, in consultation with the Department of Justice, the Department of Homeland Security, and the Department of State, shall take steps to strengthen relationships with communities targeted by influence activities of the Government of the People’s Republic of China and build trust with such communities through direct local and regional grassroots outreach.

(2) SUBMITTAL TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to Congress the recommendations developed under paragraph (1).

(d) TECHNICAL CORRECTIONS.—The National Security Act of 1947 (50 U.S.C. 3201 et seq.) is amended—

(1) in section 1107 (50 U.S.C. 3237) —
practices of senior officials of the Chinese Communist Party, including President Xi Jinping.

SEC. 508. REPORT ON CORRUPT ACTIVITIES AND CRIMINAL SANCTIONS AGAINST RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Banking, Housing, and Urban Affairs of the Senate; and
(2) the Committee on Intelligence of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall coordinate with the heads of the Office of Intelligence and Analysis of the Department of the Treasury, the Committee on Foreign Affairs, the Committee on Homeland Security and Governmental Affairs of the Senate; and the Permanent Select Committee on Intelligence of the House of Representatives.

(c) ELEMENTS.—Each report under subsection (b) shall include the following:

(1) A description of corruption and criminal activities among Russian and other Eastern European oligarchs, including estimates of the total assets of such oligarchs.
(2) An assessment of the impact of the corruption and criminal activities described pursuant to subparagraph (A) on the economy and citizens of Russia.
(3) A description of any connections to, or support of, organized crime, drug smuggling, or human trafficking by an oligarch covered by subparagraph (A).
(4) A description of any information that reveals corruption and criminal activities in Russia among oligarchs covered by subparagraph (A).
(5) A description and assessment of potential sanctions actions that could be imposed upon oligarchs covered by subparagraph (A) who support the leadership of the Government of Russia, including President Vladimir Putin.

(2) SCOPE OF REPORTS.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under that subsection may consist of an update or supplement to the preceding report under that subsection.

(d) COORDINATION.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall coordinate with the heads of the following:

(1) The Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs of the Senate; and
(2) The Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(2) CRITICAL INFRASTRUCTURE.—The term "critical infrastructure" has the meaning given such term in section 1816(e) of the Unitary Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)).

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall coordinate with the heads of Congress a report identifying whether and to what extent the United States intelligence community is aware of any efforts by the Government of China following the pandemic.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments of the following:

(1) The origins of the novel coronavirus outbreak, including the mode and speed of early viral spread.
(2) The effect of disinformation or the failure to suppress information about—

(A) the outbreak of the novel coronavirus in Wuhan; and
(B) the transmission of the virus to other countries.
(3) The effect of disinformation relating to the pandemic; and
(4) The threat that such acquisition could have on regional security.

(d) CONCLUSION.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.
(6) The potential that such acquisition could be used to deliver chemical, biological, or nuclear weapons.

(7) The potential for the Government of the Islamic Republic of Iran to proliferate weapons acquired in the absence of an arms embargo to regional groups, including Shi’a militia groups backed by such government.

(d) The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 511. REPORT ON IRANIAN ACTIVITIES RELATED TO NUCLEAR NON-Proliferation.

(a) Definition of Appropriate Committees of Congress.—In this section, the term ‘appropriate committees of Congress’ means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) Report Required.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing—

(1) any relevant activities potentially relating to nuclear weapons research and development by the Islamic Republic of Iran; and

(2) any relevant efforts to afford or deny international access in accordance with international nonproliferation agreements.

(c) Assessments.—The report required under subsection (b) shall include assessments, for the period beginning on January 1, 2018, and ending on the date of the submittal of the report, the following:

(1) Activities to research, develop, or enrich uranium or reprocess plutonium with the intent or capability of creating weapons-grade nuclear material.

(2) Research, development, testing, or design activities that could contribute to or in form construction of a device intended to initiate or capable of initiating a nuclear explosion.

(3) Efforts to receive, transmit, store, and relocate equipment, products, and materials relevant or relating to any efforts assessed under paragraph (1) or (2).

(4) Efforts to afford or deny international access in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activities described in paragraph (1), (2), or (3).

(d) Form.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 512. SENSE OF CONGRESS ON THIRD OPTION FOUNDATION.

It is the sense of the Congress that—

(1) the work of the Third Option Foundation to heal, help, and honor members of the special operations community of the Central Intelligence Agency and their families is invaluable; and

(2) the Director of the Central Intelligence Agency should work closely with the Third Option Foundation in implementing section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b), as added by section 612 of the National and Strategic Youth Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116-92).

SA 1817. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction; and for defense activities of the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subsection E of title VIII, insert the following:

SEC. 459. REPORT ON PERFORMANCE AT THE MILITARY SERVICE ACADEMIES OFCADETS AND MIDSHIPMEN WITH FOREIGN FAMILIAL AFFILIATION WITH THE MILITARY SERVICE ACADEMIES

(a) Report Required.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a study, conducted by the Secretary for purposes of the report, of the performance at the military service academies of cadets and midshipmen who have a familial affiliation with the military before their time at the military service academies.

(b) Scope of Study.—The study required for purposes of subparagraph (a) shall cover the incoming classes at the military service academies for the last 10 academic years beginning before the date of the enactment of this Act.

(c) Elements.—The report shall include a comprehensive description, assessment, and recommendation of—

(1) children of general and flag officer

(2) children of an alumnus of a military service academy

(3) children of a veteran

(4) children of parents without military service.

SA 1818. Mr. COTTON (for himself and Mr. Kaine) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction; and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subsection E of title VIII, insert the following:

SEC. 1046. CONDITIONS FOR PERMANENTLY BASED ADDITIONAL MILITARY UNITS IN HOST COUNTRIES WITH AT-RISK INFRASTRUCTURE.

(a) In General.—Prior to a decision for basing a major weapon system or an additional military unit comparable to or larger than a battalion, squadron, or naval combatant for permanent basing to a host nation with at-risk 5th generation (5G) or sixth generation (6G) telecommunications equipment, software, and services, including the use of telecommunications equipment, software, and services provided by vendors such as Huawei and ZTE, the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subsection E of title VIII, insert the following:

SEC. 519. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 94 of the Small Business Act (15 U.S.C. 637a) is amended—

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

(II) Underperforming State.—The term ‘underperforming State’ means a State participating in the SBIR or STTR program that has been calculated by the Administrator to be of low SBIR and STTR Phase I awards.”;

(2) in subsection (c)—

(III) by adding at the end the following:

(II) in paragraph (1)—

(1) in subparagraph (E)—

(1) in clause (iii), by striking “and” at the end;

(II) in clause (iv), by striking the period at the end and inserting “(III) by adding at the end the following: ‘(v) to prioritize applicants located in an underperforming State.’”;

(B) in paragraph (4)—

(i) in subparagraph (B)(v), by amending subsection (I) to read as follows:
SA 1820. Mr. RISCH (for himself and Mrs. SHAHEEN) submitted an amendment to section 15(b) of the Small Business Act (15 U.S.C. 636(b)) by striking “2004” and inserting “2021”;

(iv) by adding at the end the following:

”(D) any issues encountered in the man-
gagement and application of the FAST pro-
gram.”;

(v) by adding “and STTR” before “first phase” each place that term appears;

A. in clause (i), by striking “50” and inserting “75”;

B. in clause (ii), by striking “1 dollar” and inserting “75 cents”;

C. in clause (iv), by striking “75 and inserting “50”;

(iii) by adding at the end the following:

“(A) the Administrator shall make and enter into not less than 12 awards or cooperative agreements;

(B) each award or cooperative agreement described in subparagraph (A) shall be for not more than $500,000, which shall be provided over 2 fiscal years; and

(C) any amounts left unused in the third quarter of the second fiscal year may be retained by the Administrator for future FAST program awards.

”(5) REPORTING.—Not later than 6 months after receiving an award or entering into a cooperative agreement under this section, a recipient shall report to the Administrator—

(ii) in subparagraph (A) —

(A) in paragraph (2) —

(i) in subparagraph (A) —

(iii) in subparagraph (B), by striking “50%” and inserting “75 cents”;

(ii) in subparagraph (B), by inserting “and STTR” before “first phase” each place that term appears;

(v) by adding at the end the following:

“(iii) located in an underperforming State;”;

and

“(D) the proportion of awards provided to States, as determined by the Administrator, to underperforming States; and

(E) any issues encountered in the management and application of the FAST program;

(4) in subsection (f) —

(iii) in subparagraph (B), by striking “Not later than 120 days” and inserting “6 months”;

and

(iv) by striking at the end of the preceding sentence;”;

and

“(C) SBA REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out the amendment made by subsection (a).

(c) GAO REPORT.—

”(1) DEFINITION OF RURAL AREA.—In this subsection, the term “rural area” means an area with a population of less than 20,000 outside an urbanized area.

”(2) REPORT.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives a report on—

(1) any unique challenges that communities in rural areas face compared to communities in metropolitan areas when seeking to obtain disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

(2) legislative recommendations for improving access to, and the delivery of, disaster assistance for communities in rural areas.

SA 1821. Mr. VAN HOLLEN (for Mr. TOOMEY (for himself and Mr. VAN HOLLEN)) proposed an amendment to the bill S. 3796, to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Hong Kong Autonomy Act”.

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

SEC. 1. Findings.

Sec. 2. Definitions.

Sec. 3. Findings.

Sec. 4. Sense of Congress regarding Hong Kong.

Sec. 5. Identification of foreign persons involved in the erosion of the obligations of China under the Joint Declaration or the Basic Law.

Sec. 6. Sanctions with respect to foreign persons that contravene the obligations of China under the Joint Declaration or the Basic Law.

Sec. 7. Sanctions with respect to foreign financial institutions that conduct significant transactions with foreign persons that contravene the obligations of China under the Joint Declaration or the Basic Law.

Sec. 8. Waiver, termination, exceptions, and congressional review process.

Sec. 9. Implementation; penalties.

Sec. 10. Rule of construction.

SEC. 2. DEFINITIONS.

In this Act:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms “alien”, “national”, and “national of the United States”
have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees and leadership” means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) BASIC LAW.—The term “Basic Law” means the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China.

(4) CHINA.—The term “China” means the People’s Republic of China.

(5) ENTITY.—The term “entity” means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any other form of business collaboration.

(6) FINANCIAL INSTITUTION.—The term “financial institution” means a financial institution, including the following:

(A) any entity organized under the laws of the People’s Republic of China, if it has the right to operate in the People’s Republic of China and conducts business or performs services in the People’s Republic of China.

(B) any entity whose head office is in the People’s Republic of China and such entity conducts business or performs services in the People’s Republic of China.

(C) any entity organized under the laws of a country or region outside the People’s Republic of China and such entity conducts business or performs services in the People’s Republic of China.

(D) any entity organized under the laws of a country or region outside the People’s Republic of China and such entity’s head office is in the People’s Republic of China, if such entity conducts business or performs services in the People’s Republic of China.

(E) any entity organized under the laws of a country or region outside the People’s Republic of China and any such entity’s head office is in the People’s Republic of China, if such entity conducts business or performs services in the People’s Republic of China.

(7) JUDICIAL INDEPENDENCE.—The term “judicial independence” means the judicial independence of Hong Kong as provided for in the Basic Law.

(8) LAW.—The term “Law” means a law, whether enacted by the People’s Congress or any of its committees or by any other institution or body, including the Standing Committee of the People’s Congress or any of its committees or by any other institution or body, including the People’s Congress or any of its committees or by any other institution or body.

(9) LEGISLATIVE COUNCIL.—The term “Legislative Council” means the Legislative Council of the Hong Kong Special Administrative Region.

(10) PERSON.—The term “person” means an individual or an entity.

(11) UNITED STATES PERSON.—The term “United States person” means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, were passed into the domestic law of China by the National People’s Congress, and are widely considered by the residents of the People’s Republic of China as part of the de facto legal constitution of Hong Kong.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, “the Hong Kong Special Administrative Region shall enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People’s Government.”

(5) The obligations set out in Paragraph 3b of the Joint Declaration is referenced, reenforced, and extrapolated on in several portions of the Basic Law, including Articles 2, 12, 14, and 22.

(6) Article 22 of the Basic Law establishes that “No department of the Central People’s Government shall intervene in the affairs of the autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region handles on its own in accordance with this Law.”

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the “high degree of autonomy” of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Articles 2, 18, 17, 16, 15, and 31 of the Basic Law, that “Hong Kong ‘will be vested with executive, legislative and independent judicial power, including that of final adjudication’.”

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People’s Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, has not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly expressed support for candidates in Hong Kong for Chief Executive and Legislative Council.

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, asserted that both the Liaison Office of the Government of China in Hong Kong and the Hong Kong and Macau Affairs Office of the State Council “have the right to exercise supervision . . . on affairs regarding Hong Kong’s national security”. The Government has taken the above measures to ensure correct implementation of the Basic Law.

(D) The National People’s Congress has passed laws requiring Hong Kong to pass laws banning acts or treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the “comprehensive jurisdiction” of the Government of China over Hong Kong and indicated that Hong Kong must be governed by “patriots”.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnap of residents of Hong Kong, including buses operating in the territory of Hong Kong.

(G) The Government of Hong Kong, acting with the support of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of occupation, of academic research and of religious belief will be ensured by law” in Hong Kong.

(10) Paragraph 3d of the Joint Declaration states, as reinforced by Articles 2, 13, 14, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 of the Basic Law, that the “rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of occupation, of academic research and of religious belief will be ensured by law” in Hong Kong.

(11) Paragraph 3e of the Joint Declaration states, as reinforced by Articles 2, 13, 14, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 of the Basic Law, that the “rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of occupation, of academic research and of religious belief will be ensured by law” in Hong Kong.

(12) On multiple occasions, the Government of Hong Kong has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (12) of this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong has pressured businesses in Hong Kong not to carry pro-democracy newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) The Justice Department of Hong Kong selectively prosecuted cases against leaders of the Umbrella Movement, while failing to prosecute police officers accused of using excessive force during the protests in 2014.

(F) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists and campaigners for their role in organizing protests that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(G) Articles 46 and 68 of the Basic Law assert that the selection of Chief Executive and all members of the Legislative Council of Hong Kong should be “universal suffrage.”

(H) The spokesman for the Standing Committee of the National People’s Congress said, “Whether Hong Kong’s laws are consistent with the Basic Law can only be judged by the National People’s Congress Standing Committee. No other authority has the right to make judgments and decisions.”

(13) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.

(H) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.

(14) The governments of China and Hong Kong proposed the introduction “patriotic” curriculum in primary and secondary schools.

(15) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.
have contravened the letter or intent of the obligations described in paragraph (14) of this section, including the following:

(A) In 2004, the National People’s Congress created new democratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) By decision by the National People’s Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage should be implemented.

(C) The decision by the National People’s Congress on August 31, 2014, which limited the democratic participation process and the Chief Executive of Hong Kong as a condition for adoption of universal suffrage.

(D) On November 7, 2016, the National People’s Congress promulgated Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(E) In 2018, the Government of Hong Kong banned members of Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(16) The ways in which the Government of China, at times with the support of a sovereign Government of Hong Kong, has acted in contravention of its obligations under the Joint Declaration and the Basic Law, as set forth in the limited democratic participation processes in contravention of the people of Hong Kong, the United States, and members of the international community who support the autonomy of Hong Kong.

SEC. 4. SENSE OF CONGRESS REGARDING HONG KONG.

It is the sense of Congress that—

(A) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711 et seq.), and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76; 22 U.S.C. 5701 note), which remain consistent with China’s obligations under the Joint Declaration and certain promulgated objectives under the Basic Law, including that—

(A) as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711(1)), “The United States should play an active role, before, on, and after July 1, 1997, in maintaining Hong Kong’s confidence and prosperity. Hong Kong’s role as an international financial center, and the mutually beneficial ties between the people of the United States and the people of Hong Kong.;” and

(B) as set forth in section 2(5) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.), “a fundamental principle of United States foreign policy. As such, it naturally applies to United States policy toward Hong Kong. This will remain equally true after June 30, 1997.”;

(2) although the United States recognizes that, under the Joint Declaration, the Government demonstrated the exercise of sovereignty over Hong Kong with effect on 1 July 1997”, the United States supports the autonomy of Hong Kong in furtherance of the United States-Hong Kong Policy Act of 1992 and the Hong Kong Human Rights and Democracy Act of 2019 and advances the desire of the people of Hong Kong to continue the “one country, two systems” regime. In addition to other obligations promulgated by China under the Joint Declaration and the Basic Law;

(3) in order to support the benefits and protections that Hong Kong has been afforded by the Government of China under the Joint Declaration and the Basic Law, the United States should maintain a clear and unequivocal set of penalties with respect to foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, to be involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law and those financial transactions transacting with those foreign persons;

(4) the Secretary of State should provide an unclassified assessment of the reason for imposing economic penalties on entities, so as to permit a clear path for the removal of economic penalties if the sanctioned behavior is reversed and verified by the Secretary of State;

(5) relevant Federal agencies should establish a clear and unambiguous definition of “significant transaction with a foreign person” and the Secretary of State shall maintain a clear and unambiguous definition of “significant transaction with a foreign person” and the Secretary of State shall submit to the appropriate congressional committees and leadership a report that includes—

(A) an identification of the foreign person; and

(B) a clear explanation for why the foreign person was identified and a description of the activity that contributed to that identification;

(b) identifying foreign financial institutions that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; and

(B) is not likely to be repeated in the future.

(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (b), or remove a foreign person from the report or update prior to the imposition of sanctions under section 6(a) if the material contribution (as described in subsection (a)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 7(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2) to exclude or remove a foreign person or foreign financial institution from a report under subsection (a) or (b), the case shall be submitted to the appropriate congressional committees and leadership for the determination and the reasons for the determination.

(e) UPDATE OF REPORTS.—

(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be resubmitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) upon the termination of the report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).
(a) IMPPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(2) CLASSIFIED ANNEX.—The explanations and descriptions included in the report under subsection (a) or (b) may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law if the foreign person

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or regular independent rule of law;

(B) to participate in democratic outcomes;

or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 6. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Not later than one year after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section 5(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section 5(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(2) BANKING.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(3) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any property from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(2) EXCLUSION FROM THE UNITED STATES AND REVERSION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement made in the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 7. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Not later than one year after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) EXPANDED SANCTIONS.—Not later than two years after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose each of the sanctions described in subsection (b).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution as a primary dealer in United States Government debt instruments.

(3) PROHIBITION OF SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as agent of the United States Government or serve as a repository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any property from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign financial institution has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of Commerce, may prohibit any United States exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a share-holder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement made in the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(c) TERMINATION OF ACT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than July 1, 2024, the President, in consultation with the Secretary of State, the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to the Congress a report on evaluating the implementation of this Act and sanctions imposed pursuant to this Act.

(B) ELEMENTS.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this Act and the sanctions imposed pursuant to this Act should be terminated.

(d) EXCEPTION RELATING TO IMPORTATION OF GOODS.—
(1) In general.—The authorities and requirements to impose sanctions under sections 6 and 7 shall not include the authority or requirement to impose sanctions on the importation of a person.

(2) Good defined.—In this subsection, the term “good” means any article, natural or manufactured product, including inspection and test equipment, and excluding technical data.

(c) Congressional review.—

(1) Resolutions.—

(A) Disapproval resolution.—In this section, the term “disapproval resolution” means only a joint resolution of either House of Congress—

(i) the title of which is as follows: “A joint resolution disapproving the waiver or termination of sanctions with respect to any person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person, on the face of the resolution: the blank space being filled with the appropriate date and the blank space being filled with a short description of the proposed action.”

(ii) the blank space being filled with the appropriate date and the blank space being filled with a short description of the proposed action.

(B) Termination resolution.—In this section, the term “termination resolution” means only a joint resolution of either House of Congress—

(i) the title of which is as follows: “The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall not be subject to a motion to reconsider the vote by which the motion is disagreed to” (or the majority leader’s designee) or the minority leader; and

(ii) the blank space being filled with the appropriate date and the blank space being filled with a short description of the proposed action.

(d) Covered resolution introduced in the Senate—

(1) In general.—The authorities and requirements to impose sanctions under sections 6 and 7 shall not include the authority or requirement to impose sanctions on the importation of a person.

(2) Good defined.—In this subsection, the term “good” means any article, natural or manufactured product, including inspection and test equipment, and excluding technical data.

(e) Congressional review.—

(1) Rules relating to Senate and House of Representatives—

(A) Treatment of Senate resolution in House.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has a resolution relating to the same action):—

(i) The resolution shall be referred to the appropriate committees.

(ii) Beginning on the third legislative day after each committee to which a resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) On the third legislative day after the Committees on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations have been discharged from consideration of a resolution, the resolutions shall not be in order after the House has considered the vote by which the motion is disagreed to.

(B) Rulings of the Chair on Procedure.—

(A) On the Senate. — The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(B) On the House. — The provisions of this paragraph shall not apply to the resolution from the House of Representatives, the Senate of a covered resolution, the Senate of any veto message with respect to a covered resolution, or to the application of the rules of the House.

(2) Rules relating to Senate and House of Representatives—

(A) Treatment of Senate resolution in House.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has a resolution relating to the same action):—

(i) The resolution shall be referred to the appropriate committees.

(ii) Beginning on the third legislative day after each committee to which a resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a bill introduced in the Senate which a covered resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) Consideration in the Senate.—

(A) Consideration of resolutions.—

(i) Consideration of resolutions.—A disapproval resolution introduced in the Senate shall be—

(A) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China.

(ii) Consideration of resolutions.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) Reporting and Discharge.—If a committee, temporarily or permanently, to which a resolution was referred has not reported the resolution within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) Proceeding.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution, and all points of order raised in the course of the consideration (and against the consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote on the resolution is agreed to or disagreed to shall not be in order.

(D) Rulings of the Chair on Procedure.—

(A) On the Senate. — The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(B) On the House. — The provisions of this paragraph shall not apply to the resolution from the House of Representatives.

(5) Application to Revenue Measures.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) Rules of House of Representatives and Senate.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(b) Penalties.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 6 or 7 or any regulation, license, or order issued to carry out that section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702) and any other penalties to the extent necessary to carry out this Act.

(c) Authority.—Nothing in this Act shall be construed as an authorization of military force against China.

SA 1822. Mr. LANKFORD (for himself, Mr. PERDUE, Mrs. Loeffler, Mr. Lee, and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4049. The amendment proposes to appropriate in fiscal year 2021 for military activities of the Department of Defense, for military construction,
and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1108 and insert the following:

SEC. 1108. EXPANSION OF AUTHORITY FOR APPOINTMENT OF RECENTLY RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) In General.—Subsection (b) of section 3393 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new paragraph:

“(b) The appointment is to be a position classified at or below GS–13 under the General Schedule under subchapter III of chapter 53 (or an equivalent level under another wage system) in the competitive service that is a position—

“(1) to which appointments are authorized using Direct Hire Authority or Expedited Hiring Authority;

“(2) that has been certified by the Secretary concerned as lacking sufficient numbers of potential applicants who are not retired members of the armed forces.

(b) LIMITATION ON DELEGATION OF CERTIFICATION AUTHORITY.—Such section is further amended by adding at the end the following new subsection:

“(d) The authority to make a certification described in subsection (b)(3) of this section may be delegated to an individual with a grade lower than colonel, or captain in the Navy, or an individual with an equivalent civilian grade.”.

SA 1823. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1108. EXPANSION OF FEDERAL EMPLOYEE COVERAGE.

(a) Paid Parental Leave for Employees of District of Columbia Courts and District of Columbia Public Defender Service.—

(1) District of Columbia Courts.—Section 11–1726, District of Columbia Official Code, is amended by adding at the end the following new subsection:

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

(b) FAA and TSA.—

(1) Application of Title 5 Family and Medical Leave.—

(A) In General.—Section 40212(c)(2) of title 49, United States Code, is amended—

(i) in paragraph (i)(iii), by striking “and” at the end;

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

(iii) by adding at the end the following:

“(J) section 3331(b) of title 5 United States Code, as amended by adding sections 3321 and 3336 of title 5 of the

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

(c) Clarification for TSA Screeners.—

(A) In General.—Section 111(d)(2)(B) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) is amended to read as follows:

“(B) Leave.—Any individual appointed under paragraph (1) who otherwise qualifies as an employee under the requirements in section 6381 of title 5, United States Code, shall be subject to subchapter V of chapter 63 of such title.”.

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

(c) Title 38 Employees.—

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

(A) in subsection (b), by striking “Notwithstanding” and inserting “Except as provided in subsection (c), and notwithstanding”: and

(B) by adding at the end the following:

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

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

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

(A) by inserting “(1)” before “A bank-

ruptcy judge”; and

(B) by adding at the end the following:

“(2) The provisions of subsection V of chapter 63 of title 5 shall apply to a bank-

ruptcy judge if that employee (within the meaning of subparagraph (A) of section 638(1) of such title).”.

(2) Magistrate Judges.—Section 631(k) of title 5, United States Code, is amended—

(A) by inserting “(1)” before “A United States magistrate judge”; and

(B) by adding at the end the following:

“(2) The provisions of chapters III and V of chapter 63 of title 5 shall apply to a United States magistrate judge as if the United States magistrate judge was an employee (within the meaning of subparagraph (A) of section 638(1) of such title).”.

(3) Applicability.—The amendments made by this subsection shall not be effective with respect to any event for which leave may be

taken under chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(e) Employees of Executive Office of the President.—

(1) In general.—Section 412 of title 3, United States Code, is amended—

(A) in subsection (a), by adding at the end the following:

“(4) The term ‘fifth-generation wireless net-

work’ means a wireless network by which a device may connect to one or more networks, including a network that uses radio frequencies in the range of 50-60 GHz and provides a data transfer rate of 10 Gbps or higher.”.

(2) Section 3501 note.—Section 3501 note to title 47, United States Code, is amended—

(A) by inserting “(18)” before “‘recommend’.”;

(B) by striking “‘fifth-generation wireless net-

work’ means a wireless network by which a device may connect to one or more networks, including a network that uses radio frequencies in the range of 50-60 GHz and provides a data transfer rate of 10 Gbps or higher” and inserting “‘fifth-generation wireless network’ means a wireless network by which a device may connect to one or more networks, including a network that uses radio frequencies in the range of 50-60 GHz and provides a data transfer rate of 10 Gbps or higher.”

(3) SEC. 464.—(a) Definitions.—In this section:

(1) Urgency of implementation of a new wireless technology.—The term “urgency of implementation of a new wireless technology” means—

(A) the term “urgency of implementation of a new wireless technology” as defined in section 154 of the National Telecommunication and Information Administration Act; and

(B) the term “urgency of implementation of a new wireless technology” as defined in section 7421 of title 47, United States Code.

(b) Federal agencies.—The term “Federal agency” has the same meaning as in section 3501 note to title 47, United States Code.

(c) PRACTICAL APPLICATION.—The term “practical application” has the same meaning as in section 3501 note to title 47, United States Code.

(d) Regulations.—The term “regulations” has the same meaning as in section 3501 note to title 47, United States Code.

(e) CONSTRUCTION.—This section shall be construed to implement the requirements of subsection (a) and section 3501 note.”.
known as the “Communications Technology Security and Innovation Fund” (referred to in this paragraph as the “Security Fund”).

(ii) ADMINISTRATION.—The Director of the Intelligence Advanced Research Projects Activity shall administer the Security Fund.

(iii) CONTENTS OF FUND.—

(I) IN GENERAL.—The fund shall consist of—

(aa) amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(A); and

(bb) such other amounts as may be appropriate, otherwise made available to the Director of the Intelligence Advanced Research Projects Activity to be deposited in the Security Fund.

(II) DURATION.—

(aa) IN GENERAL.—Amounts deposited in the Security Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Security Fund after the end of the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(b) ANTS—

(I) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall submit to Congress a report on technology development and the commercial application of such research, including in the following areas:

(I) Promoting the development of technology, including software, hardware, microprocessors, and technology, that will enhance competitiveness in fifth-generation (commonly known as “5G”) and successor wireless telecommunication technologies;

(II) Accelerating development and deployment of open interface, standards-based compatible interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, the O-RAN Software Community, or any successor organizations;

(III) Promoting compatibility of new fifth-generation wireless network equipment with future open standards-based interoperable equipment;

(IV) Managing integration of multivendor network environments;

(V) Objective criteria to define equipment as compliant with standards for multivendor network equipment interoperability;

(VI) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multivendor networks;

(VII) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor market.

(b) AMOUNT.—

(I) IN GENERAL.—Subject to subclause (II), a grant awarded under clause (i) shall be in such amount as the Director of the Intelligence Advanced Research Projects Activity considers appropriate.

(II) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this paragraph to a recipient for a specific research focus area may not exceed $100,000,000.

(iii) Director of the Intelligence Advanced Research Projects Activity, in consultation with the Secretary of Defense, the Assistant Secretary of Commerce for Communications and Information, and the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(iv) TIMING.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).

(c) FEDERAL ADVISORY BODY.—

(I) ESTABLISHMENT.—The Director of the Intelligence Advanced Research Projects Activity shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the Director of the Intelligence Advanced Research Projects Activity on the administration of the Security Fund.

(ii) COMPOSITION.—The advisory committee established under clause (i) shall be composed of—

(aa) the Federal Communications Commission;

(bb) the National Institute of Standards and Technology;

(cc) the Department of Defense;

(dd) the Department of State;

(ee) the National Science Foundation; and

(ff) the Department of Homeland Security; and

(III) DUTIES.—The advisory committee established under clause (i) shall advise the Director of the Intelligence Advanced Research Projects Activity on technology development to help inform—

(I) the strategic direction of the Security Fund; and

(II) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive wireless technology supply chain.

(d) REPORTS TO CONGRESS.—

(I) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall submit to the appropriate committees of Congress a report with—

(i) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(ii) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, guarantees, or other forms of credit extension that would maximize the use of designated funds.

(ii) ANNUAL REPORT.—For each fiscal year for which funds in the Security Fund are available under this paragraph, the Director of the Intelligence Advanced Research Projects Activity shall submit to Congress a report that—

(I) describes how, and to whom, grants have been awarded under subparagraph (B); and

(II) details the progress of the Director of the Intelligence Advanced Research Projects Activity in meeting the objectives described in subparagraph (B)(i); and

(iii) includes such other information as the Director of the Intelligence Advanced Research Projects Activity determines appropriate.

(2) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(A) ESTABLISHMENT OF FUND.—

(I) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the “Multilateral Telecommunications Security Fund” (in this section referred to as the “Multilateral Fund”).

(ii) ADMINISTRATION.—The Director of National Intelligence and the Secretary of Defense shall jointly administer the Multilateral Fund.

(iii) USE OF AMOUNTS.—Amounts in the Multilateral Fund shall be used to establish the common funding mechanism required by subparagraph (B).

(B) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(I) IN GENERAL.—The Multilateral Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(B); and

(bb) such other amounts as may be appropriated or otherwise made available to the Director and the Secretary to be deposited in the Multilateral Fund.

(II) AVAILABILITY.—

(aa) IN GENERAL.—Amounts deposited in the Multilateral Fund shall remain available through fiscal year 2031.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after fiscal year 2031 shall be deposited in the General Fund of the Treasury.

(B) MULTILATERAL COMMON FUNDING MECHANISM.—

(I) IN GENERAL.—The Director and the Secretary shall jointly, in coordination with foreign partners, establish a common funding mechanism that uses amounts from the Multilateral Fund to support the development and adoption of secure and trusted telecommunications technologies in key markets globally.

(ii) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out clause (i) in consultation with the following:

(I) The Federal Communications Commission.

(II) The Secretary of State.

(III) The Assistant Secretary of Commerce for Communications and Information.

(IV) The Director of the Intelligence Advanced Research Projects Activity.

(V) The Under Secretary of Commerce for Standards and Technology.

(C) ANNUAL REPORT TO CONGRESS.—

(I) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and not less frequently than once each fiscal year thereafter until fiscal year 2031, the Director and the Secretary shall jointly submit to the appropriate committees of Congress an annual report on the Multilateral Fund and the use of amounts under subparagraph (B).

(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the fiscal year covered by the report:

(I) Any funding commitments from foreign partners, including each specific amount committed;

(II) Governing criteria for use of the amounts in the Multilateral Fund;

(III) An account of—

(aa) how, and to whom, funds have been deployed;

(bb) amounts remaining in the Multilateral Fund; and

(cc) the progress of the Director and the Secretary in meeting the objectives described in subparagraph (B)(i).

(iii) Such recommendations for legislative or administrative action as the Director and the Secretary may have to enhance the effectiveness of the Multilateral Fund in achieving the security goals of the United States.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—There is authorized to be appropriated to carry out paragraph (1) $750,000,000 for the period of fiscal years 2021 through 2031.

(B) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—There is authorized to be appropriated to carry out paragraph (2) $750,000,000 for the period of fiscal years 2021 through 2031.

(c) EXPOSING POLITICAL PRESSURE IN INTERNATIONALLY STANDARDS-SETTING BODIES THAT SET STANDARDS FOR FIFTH-GENERATION WIRELESS NETWORKS.

SA 1829. Mr. COONS (for himself, Mr. TILLIS, Mr. MARKEY, Mr. YOUNG, Mr. DURBIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 9. SENATE HUMAN RIGHTS COMMISSION.
(a) Commission Establishment.—
(1) in consultation with the following:
(ii) TREATMENT OF PAYMENTS.—Amounts paid by the Senate to the administrative staff of the Commission may be included in the Senate’s official or institutional expenses.

SEC. 10. EXPENSES.—
(1) in general.—Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized only for the discharge of duties of the Senate and the Senate leadership, and for use in the course of conducting its official duties and functions.

(2) DESIGNATION OF PROFESSIONAL STAFF.—
(A) in general.—Each co-chairperson of the Commission may designate 1 professional staff member.

(B) COMPENSATION OF SENATE EMPLOYEES.—
In the case of the compensation of any professional staff member designated under subparagraph (A) who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Commission, the professional staff member shall continue to be paid by the Member or committee, as the case may be, but the account from which the professional staff member is paid shall be used for the services performed by the professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c).

SEC. 11. AMOUNTS AVAILABLE.—For any fiscal year, not more than $200,000 shall be expended for employees and expenses.

SA 1830. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12. LIMITATION OF AUTHORITY.
(a) In general.—The Commission is authorized, from funds made available under subsection (c), to—
(1) employ such staff in the manner and at the rate of compensation that the Administrator, and only the Administrator, may determine is necessary or appropriate to carry out its duties and functions.

(b) Expenses.—
(1) in general.—Payments made under this subsection for the purchase of goods, for the rendition of services, and for professional and technical services are limited to $200,000; and

(c) Reallocation of unused state funds.—Section 797(c)(2)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16133(c)(2)(C)) is amended beginning in the matter preceding clause (i) by inserting “for each fiscal year”, and all that follows through “this paragraph” in clause (ii) and inserting “to carry out section 792.”
to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 752. DATABASE ON MILITARY AVIATORS AND STUDY ON THE INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG MILITARY AVIATORS.

(a) FINDINGS.—Congress makes the following findings:

(1) It has been reported that the prevalence of cancer is high among military aviators, particularly among fighter pilots in the Air Force, Navy, and Marine Corps.

(2) There have been several alarming clusters of cancer diagnoses at military installations, including at Naval Air Weapons Station China Lake in California and Seymour Johnson Air Force Base in North Carolina.

(3) Four commanding officers who served at Naval Air Weapons Station China Lake have died of cancer. Each officer had completed thousands of flight hours in advanced jets.

(4) According to a study by the Air Force in 2006 titled “Cancer in Fighters”, six pilots and two fighter pilots who flew the F-15 Strike Eagle at Seymour Johnson Air Force Base, aged 33 to 43, were diagnosed with forms of urogenital cancers between 2002 and 2005. Each officer had completed at least 2,100 flight hours.

(5) A study by the Air Force in 2010 reported on a cluster of seven members of the Air Force Reserve Operations Command diagnosed with brain cancer among crew members of the C-130 between 2006 and 2009. The individuals affected were three C-130 pilots, two flight engineers, one loadmaster, and one navigator assigned to different installations around the world. Overall, brain cancer affects approximately 5.5 out of 100,000 people in the United States annually.

(b) DATABASE.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on a comprehensive study conducted by the Air Force identifying each military aviator and documenting the cancers, dates of diagnoses, and mortality of all military aviators.

(c) STUDY.—In conducting the study under this subsection, the Secretary of Defense shall incorporate data from previous studies conducted by the Air Force, the Navy, or the Marine Corps that are relevant to the study under this subsection, including data from the comprehensive study conducted by the Air Force identifying each military aviator and documenting the cancers, dates of diagnoses, and mortality of each military aviator.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

(2) MILITARY AVIATOR.—The term “military aviator” means—

(A) an aviator who served in the Armed Forces on or after February 29, 1961; and

(B) includes any air crew member of fixed-wing aircraft, including pilots, navigators, sensor operators, and any other crew member who regularly flies in an aircraft or is required to complete the mission of the aircraft.

SA 1832, Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 4049, to amend section 101 of title 10, United States Code, to extend the end of the fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE — CANNABIDIOL AND MARIHUANA RESEARCH EXPANSION

SEC. 01. SHORT TITLE.

This title may be cited as the “Cannabidiol and Marihuana Research Expansion Act”.

SEC. 02. DEFINITIONS.

In this title—

(1) the term “appropriately registered” means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to a controlled substance on the schedule that is applicable to tetrahydrocannabinol or a derivative of such substance;

(2) the term “cannabis—

(A) the substance, cannabidiol, as derived from marihuana that has a delta-9 tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A), in the terms “control substances for” (‘‘dispense,’’ ‘‘distribute,’’ ‘‘manufacture,’’ ‘‘marihuana,’’ and ‘‘practitioner’’) have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this title; and

(4) the term “covered institution of higher education” means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—
(A)(i) has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(5) the term ‘‘drug’’ has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1)) or another Federal agency that funds scientific research.

(6) the term ‘‘medical research for drug development’’ means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marihuana or cannabinoids as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term ‘‘State’’ means any State of the United States, the District of Columbia, and any territory of the United States.

Subtitle A—Registrations for Marihuana Research

SEC. 11. MARIHUANA RESEARCH APPLICATIONS.

(a) In General.—Paragraph (2)(B) of section 303 of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking ‘‘The Attorney General shall—’’ and inserting ‘‘(1) The Attorney General shall—’’;

(3) by striking ‘‘Registration applications’’ and inserting the following: ‘‘(2)(A) Registration applications’’;

(4) by striking ‘‘Article 7’’ and inserting the following: ‘‘(3) Article 7’’; and

(5) by inserting after paragraph (2)(A), as so designated, the following: ‘‘(4)(B)(i) The Attorney General shall register a practitioner to conduct research with marihuana if—

(II) the applicant’s research protocol—

(aa) has been reviewed and approved—

(1) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

(2) by the National Institutes of Health or another Federal agency that funds scientific research; or

(cc) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

(II) the applicant has demonstrated to the Attorney General that there are adequate procedures in the place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section 15 of the Cannabis and Marihuana Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marihuana the applicant would be authorized to possess.

(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General, in determining the basis of denial to the applicant. The Attorney General shall provide a written explanation of the basis of denial to the applicant.’’;

(b) Regulations.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. 12. RESEARCH PROTOCOLS.

(a) In General.—Paragraph (2)(B) of section 303 of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

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

‘‘(cc) the number of individuals or patients involved in research.’’;

(b) Regulations.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. 13. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) In General.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

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

‘‘(cc) the number of additional marihuana plants required to manufacture marihuana to supply appropriately registered researchers in the United States, the Attorney General shall not later than 60 days after the date on which the Attorney General receives a completed application—

(i) approve the application; or

(ii) request supplemental information.’’;

(B) Regulations.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this Act.

SEC. 14. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) In General.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

(2) by inserting after section 12 the following:

‘‘(ll) the applicant has demonstrated to the Attorney General that the quantity of marihuana needed to complete the research does not impact the source of the drug, or the conditions under which the drug is stored, tracked, or administered.’’;

(b) Regulations.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this Act.
“(vii) The applicant is licensed by each State in which the applicant will conduct operations under this subsection, to manufacture marihuana, if that State requires such a license;”.

“(C) Not later than 30 days after the date on which the Attorney General receives supplemental information requested under paragraph (A) with respect to the application, the Attorney General shall approve or deny the application.”

“(2) If an application described in this subsection is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.”.

“(3) In subsection (h)(2), as so redesignated, by striking “303(g)” and inserting “303(h)”.

“(4) In subsection (i)(1), as so redesignated, by striking “subsection (d)” and inserting “subsection (e)”;

“(5) In subsection (k), as so redesignated, by striking “subsection (f)” each place it appears and inserting “subsection (g)”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102 (21 U.S.C. 802)—

(i) in paragraph (16)(B)—

(I) in clause (i), by striking “or” at the end;

(II) by redesignating clause (ii) as (iii); and

(III) by inserting after clause (i) the following:

“(ii) the synthetic equivalent of hemp-derived cannabidiol that contains less than 0.3 percent tetrahydrocannabinol; or”;

(ii) in paragraph (32)(B)—

(I) by striking “303(g)” each place it appears and inserting “303(h)”;

(II) in clause (i), by striking “(d), or (e)” and inserting “(e), or (f)”;

(III) by striking “303(h)” and inserting “303(i)”;

(iii) in paragraph (33)(B), by striking “303(f)” each place it appears and inserting “303(g)”;

(B) in section 304 (21 U.S.C. 824), by striking “303(g)” each place it appears and inserting “303(h)”;

(C) in section 307(d)(2) (21 U.S.C. 827(d)(2)), by striking “303(f)” and inserting “303(g)”;

(D) in section 311(h) (21 U.S.C. 831(h)), by striking “303(f)” each place it appears and inserting “303(g)”;

(E) in section 401(h)(2) (21 U.S.C. 841(h)(2)), by striking “303(f)” each place it appears and inserting “303(g)”;

(F) in section 403(c)(2)(B) (21 U.S.C. 843(c)(2)(B)), by striking “303(f)” and inserting “303(g)”;

(G) in section 512(c)(1) (21 U.S.C. 822(c)(1)), by striking “303(f)” and inserting “303(g)”;

(2) Section 1008(c) of the Controlled Substances Import and Export Act (21 U.S.C. 958(c)) is amended—

(A) in paragraph (1), by striking “303(d)” and inserting “303(e)”;

(B) in paragraph (2)(B), by striking “303(b)” and inserting “303(c)”;

(3) Title V of the Public Health Service Act (42 U.S.C. 290a et seq.) is amended—

(A) in section 520E(c)(4) (42 U.S.C. 296b-36(c)(4)), by striking “303(c)” and inserting “303(e)”;

(B) in section 520E(c)(6) (42 U.S.C. 296b-36(a)(6)), by striking “303(c)” and inserting “303(e)”.

SEC. 14. ADEQUATE AND UNINTERRUPTED SUPPLY.

On an annual basis, the Attorney General shall determine whether there is an adequate and uninterrupted supply of marihuana, including of specific strains, for research purposes.

SEC. 15. SECURITY REQUIREMENTS.

(a) In General.—An individual or entity engaging in the handling of marihuana or its components shall store it in a securely locked, substantially constructed cabinet.

(b) REQUIREMENTS FOR OTHER MEASURES.—Any other security measures required by the Attorney General to safeguard against diversion shall be consistent with those required for the handling of other controlled substances in schedules I and II in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) that have a similar risk of diversion and abuse.

SEC. 16. PROHIBITION AGAINST REINSTATING INTERDISCIPLINARY REVIEW PROCESSES FOR NON-NIH FUNDED RESEARCHERS.

The Secretary of Health and Human Services may not—

(1) reinstate the Public Health Service interdisciplin ary review process described in the guidance entitled “Guidance on Procedures for the Provision of Marijuana for Medical Research,” issued on May 21, 1999, or

(2) require another review of scientific protocols that is applicable only to research on marihuana or its components.

Subtitle B—Development of FDA-approved Drugs Using Cannabidiol and Marihuana

SEC. 21. MEDICAL RESEARCH ON CANNABIDIOL AND MARIHUANA.

Notwithstanding any provision of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act of 2001 (42 U.S.C. 290dd–2 et seq.), chapter 1 of title 44, United States Code, or any other Federal law, an appropriately registered covered institution of higher education, a practioner if the patient is a child; or

(2) the currently known potential harms and benefits of marihuana derivatives, including cannabidiol, as a treatment with the legal guardian of the patient if the patient is a ward; or

(3) require another review of scientific protocols that is applicable only to research on marihuana or its components.

Subtitle C—Doctor-patient Relationship

SEC. 23. IMPORTATION OF CANNABIDIOL FOR RESEARCH PURPOSES.

The Attorney General shall register an applicant to manufacture or distribute cannabidiol or marihuana for the purpose of commercial production of a drug containing or derived from marihuana that is approved by the Secretary of Health and Human Services under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), in accordance with the applicable requirements under subsection (a) or (b) of section 303 of the Controlled Substances Act (21 U.S.C. 833).

(a) In General.—Not later than 1 year following the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the National Institutes of Health and the heads of other relevant Federal agencies, shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce, Science, and Transportation of the House of Representatives a report on—

(1) the potential therapeutic effects of cannabidiol or marihuana on serious medical conditions, including intractable epilepsy; and

(2) the potential harms of marihuana, including—

(A) the effect of increasing delta-9-tetrahydrocannabinol levels on the human body and developing adolescent brains; and

(B) the effect of various delta-9-tetrahydrocannabinol levels on cognitive abilities, such as those that are required to operate motor vehicles or other heavy equipment; and

(C) the barriers associated with researching marihuana or cannabidiol in States that have legalized the use of such substances, which shall include—

(A) recommendations as to how such barriers might be overcome, including whether public-private partnerships or Federal-State research partnerships may or should be implemented to provide researchers with access to additional strains of marihuana and cannabidiol; and

(B) recommendations as to what safeguards must be in place—

(i) the levels of tetrahydrocannabinol, cannabidiol, or other cannabinoids contained...
in products obtained from such States is accurate; and
(ii) that such products do not contain harmful or toxic components.
(b) Activities.—To the extent practicable, the Secretary of Health and Human Services, either directly or through awarding grants, contracts, or cooperative agreements, shall expand or take over, in whole or in part, the activities of the National Institutes of Health and other relevant Federal agencies to better determine the effects of cannabinoids and marihuana, as outlined in paragraph (a), as well as the effects of cannabidiol and marihuana, as outlined in subsection (a).

SA 1833. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IX, add the following:

SEC. 502. LIMITATION ON CONSOLIDATION OR TRANSITION TO ALTERNATIVE CONTENT DELIVERY METHODS WITHIN THE DEFENSE MEDIA ACTIVITY.

(a) In General.—No consolidation or transition to alternative content delivery methods within the Defense Media Activity shall occur until 180 days after the Secretary of Defense submits to the congressional defense committees the report that includes a certification, in detail, that such consolidation or transition to alternative content delivery methods within shall not—
(1) compromise safety and security of members of the Armed Forces and their families;
(2) compromise the cybersecurity or security of content delivery to members of the Armed Forces, whether through—
(A) inherent vulnerabilities in the content delivery method concerned;
(B) vulnerabilities in the personal devices used by members; or
(C) vulnerabilities in the receivers or streaming devices necessary to accommodate the alternative content delivery method;
(3) increase monetary costs or personal financial liabilities to members of the Armed Forces or their families, whether through monthly subscription fees or other tolls required to access digital content; and
(4) impede access to content due to bandwidth or other technical limitations where members of the Armed Forces receive content.
(b) Definitions.—In this section:
(1) ALTERNATIVE CONTENT DELIVERY.—The term "alternative content delivery" means any method of the Defense Media Activity for the delivery of digital content that is different from a method used by the Activity at a cost as of the date of the enactment of this Act.

SA 1835. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 108. LAND CONVEYANCE, OVER-THE-HORIZON BACKSCATTER RADAR SYSTEM RECEIVING STATION, MODOC COUNTY, CALIFORNIA.

(a) CONVEYANCE PROVIDED.—Subject to subsections (c), (d), and (e), the Secretary of Agriculture (referred to in this section as the "Secretary") shall convey to the County of Modoc, California (referred to in this section as the "County"), all right, title, and interest of the United States in and to the Federal land—
(1) to adjacent National Forest System land;
(2) to land owned by the County, subject to County approval;
(3) to land within the Federal land, subject to County approval; or
(4) in a manner that combines 2 or more of the options described in paragraphs (1), (2), and (3).

(b) DESCRIPTION.—The map and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in appropriate offices of the Forest Service.
to permit the County to use the conveyed property, including improvements thereon, for the development of renewable energy, including solar and biomass cogeneration.

(c) As consideration for the conveyance under subsection (a), the County shall provide the United States with consideration in an amount that is—

(1) the net fair market value of the land as determined by a survey satisfactory to the Secretary, whether by cash payment, in-kind consideration, or a combination thereof.

(d) APPRAISAL.—

(1) APPRAISAL REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct an appraisal to determine the fair market value of the National Forest System land to be conveyed under subsection (a).

(2) STANDARDS.—The appraisal under paragraph (1) shall be conducted in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisition; and

(B) the Uniform Standards of Professional Appraisal Practice.

(e) RESERVATION OF EASEMENT RELATED TO CONTINUED USE OF WATER WELLS.—The conveyance required by subsection (a) shall be conditioned on the reservation of an easement by the Secretary, subject to such terms and conditions as the Secretary determines to be appropriate, necessary to provide access for use authorized by the Secretary of the 4 water wells in existence on the date of enactment of this Act, and associated water conveyance infrastructure on the parcel of National Forest System land to be conveyed.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) IN GENERAL.—As a condition on the conveyance required by subsection (a), the Secretary shall require the County to cover costs related to environmental remediation of the property to be conveyed by the Secretary, or to reimburse the Secretary for those costs incurred by the Secretary, to carry out the conveyance, including—

(i) survey costs;

(ii) costs for environmental documentation; and

(iii) any other administrative costs related to the conveyance.

(2) REFUND.—If the Secretary collects amounts from the County in advance of the Secretary's costs under paragraph (1), the Secretary shall refund to the County the actual costs described in subparagraph (A), and the amount collected exceeds the costs actually incurred by the Secretary, the Secretary shall carry out the conveyance, the Secretary shall refund the excess amount to the County.

(g) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—To expedite the conveyance of the parcel of National Forest System land described in subsection (a), the Secretary of the Air Force shall be responsible for the remediation of any environmental contamination that is—

(A) discovered after that conveyance; and

(B) attributed to Air Force occupancy of and operations on the parcel before that conveyance.

(h) DISCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(i) COMPLIANCE WITH ENVIRONMENTAL LAWS.—In this section affects or limits the application of or obligation to comply with any environmental law, including—

(1) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SA 1836. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for military facilities for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:


Section 714(a) of the California Desert Protection Act of 1994 (42 U.S.C. 4152a–8(a)) is amended by striking paragraph (3) and inserting the following:

(3) CONSERVATION LAND.—The term ‘conservation land’ means—

(A) any land within the Conservation Area that is designated to satisfy the conditions of a Federal habitat conservation plan, general conservation plan, or State natural communities conservation plan;

(B) any national conservation land within the Conservation Area established pursuant to section 200c of the Public Land Management Act of 2009 (16 U.S.C. 7922(b)(3)(D)); and

(C) any area of critical environmental concern within the Conservation Area established pursuant to section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)).

SA 1837. Ms. COLLINS (for herself and Mr. HENRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3. BETTER ENERGY STORAGE TECHNOLOGIES.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ‘Department’ means the Department of Energy.

(2) ENERGY STORAGE SYSTEM.—The term ‘energy storage system’ means any system, equipment, facility, or technology that—

(A) is capable of absorbing or converting energy, storing the energy for a period of time, and dispatching the energy; and

(B) uses mechanical, electrochemical, thermal, electrolysis, or other processes to convert and store electric energy that was generated at an earlier time for use at a later time; or

(c) ENERGIZED ELECTRIC HEATER.—An energized electric, thermal, or gaseous state for direct use for heating or cooling at a later time in a manner that avoids the need to use electricity or other energy sources at that time, such as a grid-enabled water heater.

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

(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Energy.

(b) ENERGY STORAGE SYSTEM RESEARCH, DEVELOPMENT, AND DEPLOYMENT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program, to be known as the ‘Energy Storage System Research, Development, and Deployment Program’ (referred to in this subsection as the ‘program’).

(2) INITIAL PROGRAM OBJECTIVES.—The program shall focus on research, development, and deployment of—

(A) energy storage systems designed to further the development of technologies—

(i) for large-scale commercial deployment;

(ii) for deployment at cost targets established by the Secretary;

(iii) for hourly and subhourly durations required to provide reliability services to the grid;

(iv) for daily durations, which have—

(I) the capacity to discharge energy for a minimum of 6 hours; and

(II) a system lifetime of at least 20 years under regular operation; and

(v) for seasonal durations, which have—

(I) the capability to address seasonal variations in supply and demand; and

(II) a system lifetime of at least 20 years under regular operation; and

(B) distributed energy storage technologies and applications, including building-grid integration;

(C) transportation energy storage technologies and applications, including vehicle-grid integration;

(D) cost-effective systems and methods for—

(i) the reclaiming, recycling, and disposal of energy storage materials, including lithium, cobalt, nickel, and graphite; and

(ii) the reuse and repurposing of energy storage system technologies;

(E) advanced control methods for energy storage systems;

(F) pumped hydroelectric energy storage systems to advance—

(i) adoption of innovative technologies, including—

(A) adjustable-speed, ternary, and other nonpumping and generating equipment designs;

(B) modular systems;

(C) closed-loop systems, including mines and quarries; and

(iv) other critical equipment and materials for pumped hydroelectric energy storage, as determined by the Secretary; and

(F) reducing construction costs, civil works costs, and construction times for pumped hydroelectric energy storage

SEC. 4. MINERAL RESOURCES.

(a) OFFSHORE LEASES.—The term ‘mineral resources’ means—

(1) Federal lands under or near ocean waters; or

(2) lands that are not subject to the jurisdiction of any State or political subdivision of any State, but which are subject to the jurisdiction of the Federal Government, and which are located under or near ocean waters.
projects, with the goal of reducing those costs by 50 percent;
(G) models and tools to demonstrate the benefits of energy storage to—
(i) end-use consumers;
(ii) electric utility system operators; and
(iii) other interested stakeholders.
(2) Expressing the energy storage vision and goals; and
(3) Establishing a strategic plan for the development of energy storage systems; and
(4) Developing the necessary supporting strategies and plans;
and
(5) ENERGY STORAGE STRATEGIC PLAN.—
(A) IN GENERAL.—The Secretary shall develop a 10-year strategic plan for the program, and update the plan, in accordance with this paragraph.
(B) CONTENTS.—The strategic plan developed under subparagraph (A) shall—
(i) be coordinated with and integrated across other relevant offices in the Department;
(ii) to the extent practicable, include metrics that can be used to evaluate storage technologies;
(iii) identify Department programs that—
(I) support the research and development activities described in paragraph (2) and the demonstration projects under subsection (c); and
(ii) are important to the development of energy storage systems and the mission of the Department, as determined by the Secretary;
(iv) include expected timelines for—
(I) the accomplishment of relevant objectives described in clause (i) or (ii); and
(v) incorporate relevant activities described in the Grid Modernization Initiative Multi-Year Program Plan.
(C) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate, Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives the strategic plan developed under subparagraph (A).
(3) UPDATES TO PLAN.—The Secretary—
(I) shall annually review the strategic plan developed under paragraph (2)(A); and
(ii) may periodically revise the strategic plan as appropriate.
(4) PERIODIC EVALUATION OF PROGRAM OBJECTIVES.—Not less frequently than once every calendar year, the Secretary shall evaluate and, if necessary, update the program, including value from various-use cases and energy storage services.
(5) TESTING AND VALIDATION.—In coordination with one or more Laboratories, the Secretary shall accelerate the development, standardized testing, and validation of energy storage systems under the program by developing testing and evaluation methodologies for—
(A) storage technologies, controls, and power electronics for energy storage systems under a variety of operating conditions;
(B) accelerated and grid performance testing for energy storage systems, materials, and technologies during each stage of development, beginning with the research stage and ending with the deployment stage;
(C) reliability, safety, and durability testing under standard and evolving duty cycles; and
(D) accelerated life testing protocols to predict estimated lifetime metrics with accuracy.
(6) Leverage existing Federal resources, including in hybrid energy storage systems; and
(V) energy storage system use cases from individual and combination technology applications, including value from various-use cases and energy storage services.
(7) PROTECTING PRIVACY AND SECURITY.—In carrying out this subsection, the Secretary shall identify and follow best practices for protecting the privacy of individuals and businesses and the respective sensitive data of the individuals and businesses, including by managing privacy risk and implementing the Fair Information Practice Principles of the Federal Trade Commission for the collection, use, disclosure, and retention of individual electric consumer information in accordance with the Office of Management and Budget Circular A-130 (or successor circulars).
(8) LEVERAGING OF RESOURCES.—The program shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall accelerate the development and update the plan, in accordance—
(A) the Electricity Delivery and Energy Reliability;
(B) the Office of Energy Efficiency and Renewable Energy, including the Water Power Technologies Office; and
(C) the Office of Science, including—
(i) the Basic Energy Sciences Program; and
(ii) the Advanced Scientific Computing Research Program;
(D) the Biological and Environmental Research Program; and
(9) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(10) ENERGY STORAGE PILOT GRANT PROGRAM.—
(1) DEMONSTRATION PROJECTS.—Not later than September 30, 2023, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(2) ENERGY STORAGE PILOT GRANT PROGRAM.—
(A) DEFINITION OF ELIGIBLE ENTITY.—In this paragraph, the term "eligible entity" means—
(i) a State energy office (as defined in section 124(a) of the Energy Policy Act of 2005 (42 U.S.C. 15821(a)));
(ii) an Indian tribe (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103));
(iii) a tribal organization (as defined in section 5765 of title 38, United States Code);
(iv) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));
(v) an electric utility, including—
(I) an electric cooperative;
(ii) a political subdivision of a State, such as a municipally owned electric utility, or any agency, authority, corporation, or instrumentality of a State political subdivision; and
(iii) an investor-owned utility; and
(vi) a private energy storage company.
(B) ESTABLISHMENT.—The Secretary shall establish a competitive grant program under this subsection to provide funding to eligible entities to carry out demonstration projects for pilot energy storage systems.
(C) SELECTION REQUIREMENTS.—In selecting eligible entities to receive a grant under subparagraph (B), the Secretary shall, to the maximum extent practicable—
(i) ensure that grants are awarded for demonstration projects that—
(I) expand on the existing technology demonstration programs of the Department;
(ii) are geographically diverse among eligible entities awarded grants, including ensuring participation of eligible entities that are rural States and States with high energy costs;
(iii) include projects with different use cases (grid-connected or islanded mode) where the project is located; and
(iv) provide fixed or funding allocations to eligible entities for securing energy storage through competitive procurement or contract for service.
(D) OBJECTIVES.—Each demonstration project carried out by an eligible entity under subparagraph (B) shall have one or more of the following objectives:
(i) To improve the security of critical infrastructure and emergency response systems;
(ii) To improve the reliability of transmission and distribution systems, particularly in rural areas, including high-energy-cost rural areas;
(iii) To optimize transmission or distribution system operation and power quality to defer or avoid costs of replacing or upgrading electric grid infrastructure, including transformers and substations;
(iv) To supply energy at peak periods of demand on the electric grid or during periods of significant variation of electric grid supply;
(v) To reduce peak loads of homes and businesses;
(vi) To reduce and improve power conversion systems; and
(vii) To provide ancillary services for grid stability and management.
(E) LEVERAGE.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(F) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(G) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(H) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(I) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(J) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(K) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(L) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(M) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(1) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(2) LEVERAGING OF RESOURCES.—The Secretary shall leverage existing Federal resources, so that in carrying out activities under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).
(iv) an investor-owned utility.

(B) PROGRAM.—The term “program” means the technical and planning assistance program established under paragraph (2)(A).

(2) Prizes.—(A) IN GENERAL.—The Secretary shall establish a technical and planning assistance program to assist eligible entities in identifying, evaluating, planning, designing, and developing processes to procure energy storage systems.

(B) ASSISTANCE AND GRANTS.—Under the program, the Secretary shall—

(i) provide technical and planning assistance, including disseminating information, direct award to eligible entities, and award grants to eligible entities to contract to obtain technical and planning assistance from outside experts;

(ii) in carrying out the program, the Secretary shall focus on energy storage system projects that have the greatest potential for—

(I) strengthening the reliability and resiliency of energy infrastructure;

(II) reducing the cost of energy storage systems;

(III) improving the feasibility of microgrids (grid-connected or islanded mode), particularly in rural areas, including high energy cost rural areas;

(IV) reducing consumer electricity costs; or

(V) maximizing local job creation.

(C) TECHNICAL AND PLANNING ASSISTANCE.—

(i) In general.—Technical and planning assistance provided under the program shall include assistance with 1 or more of the following activities relating to energy storage systems—

(I) identification of opportunities to use energy storage systems;

(II) feasibility studies to assess the potential for development of new energy storage systems or improvement of existing energy storage systems;

(III) assessment of technical and economic characteristics, including a cost-benefit analysis;

(IV) utility interconnection;

(V) permitting and siting issues;

(VI) business planning and financial analysis;

(VII) engineering design;

(VIII) resource adequacy planning;

(IX) data collection and valuation.

(B) EXCLUSION.—Technical and planning assistance provided under the program shall not be provided for—

(i) personnel activities, as for influencing or attempting to influence an officer or employee of any Federal, State, or local agency, a Member of Congress, an employee of a Member of Congress, a State or local legislative body, or an employee of a State or local legislative body.

(A) INFORMATION DISSEMINATION.—The information disseminated under paragraph (2)(B)(i) shall include—

(A) information relating to the topics described in paragraph (3)(A), including case studies of successful examples;

(B) computational tools or software for assessment, design, and operation and maintenance of energy storage systems;

(C) public databases that track existing and planned energy storage systems;

(D) best practices for the utility and grid operator business processes associated with the topics described in paragraph (3)(A); and

(E) relevant State policies or regulations associated with the topics described in paragraph (3)(A).

(B) APPLICATION.—An eligible entity desiring to apply for the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary shall require, including whether the eligible entity is applying for—

(i) direct technical or planning assistance under paragraph (2)(B)(i); or

(ii) a prize under paragraph (2)(B)(ii).

(C) PRIORITIES.—In selecting eligible entities for technical and planning assistance under the program, the Secretary shall give priority to eligible entities described in clauses (i) and (ii) of paragraph (1)(A).

(D) REPORTS.—The Secretary shall submit to Congress and make available to the public—

(i) not less frequently than once every 2 years, a report describing the performance of the program, including a synthesis and analysis of any information the Secretary requires grant recipients to provide to the Secretary as a condition of receiving a grant; and

(ii) on termination of the program, an assessment of the success of, and education provided by, the measures carried out by eligible entities under the program.

(E) Cost-sharing.—Activities under this subsection shall be subject to the cost-sharing requirements under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(F) ENERGY STORAGE MATERIALS RECYCLING PRIZE COMPETITION.—Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by adding at the end the following:

(g) ENERGY STORAGE MATERIALS RECYCLING PRIZE COMPETITION.—

(1) DEFINITION OF CRITICAL ENERGY STORAGE MATERIALS.—In this subsection, the term ‘critical energy storage materials’ includes—

(A) lithium;

(B) cobalt;

(C) nickel;

(D) graphite; and

(E) any other material determined by the Secretary to be critical to the continued growing supply of energy storage resources.

(2) PRIZE AUTHORITY.—

(A) IN GENERAL.—As part of the program established under subsection (a), the Secretary shall establish and award a prize to an individual or entity for developing critical energy storage materials.

(B) ELIGIBILITY.—

(i) To be eligible to win a prize under the program, an individual or entity—

(I) shall have compiled with the requirements of the ‘Energy Storage Materials Recycling Prize Competition’ (referred to in this subsection as the ‘program’), under which the Secretary shall carry out prize competitions to advance the recycling of critical energy storage materials.

(II) FREQUENCY.—To the maximum extent practicable, the Secretary shall carry out a competition under the program not less frequently than once every calendar year.

(3) ELIGIBILITY.—

(A) IN GENERAL.—To be eligible to win a prize under the program, an individual or entity—

(i) shall have compiled with the requirements of the ‘Energy Storage Materials Recycling Prize Competition’ as described in the announcement for that competition published in the Federal Register by the Secretary under paragraph (6); and

(ii) in the case of a private entity, shall be incorporated in the United States and maintain a primary place of business in the United States.

(B) EXCLUSIONS.—The following entities and individuals shall not be eligible to win a prize under the program—

(i) A Federal entity;

(ii) A Federal employee (including an employee of a National Laboratory) acting within the scope of employment.

(4) AWARDS.—In carrying out the program, the Secretary shall award cash prizes, in amounts to be determined by the Secretary, to each individual or entity selected as a prize recipient.

(B) REQUIREMENTS.—The criteria established under subparagraph (A) shall provide for—

(i) the subject of the competition;

(ii) the duration of the competition;

(iii) the eligibility requirements for participation in the competition;

(iv) the process for participants to register for the competition;

(v) the amount of the prize; and

(vi) the criteria for awarding the prize.

(C) ADVERTISING AND SOLICITATION OF COMPETITORS.—

(A) IN GENERAL.—The Secretary shall advertise each prize competition under the program by publishing a notice in the Federal Register.

(B) REQUIREMENTS.—Each notice published under subparagraph (A) shall describe—

(i) the essential elements of the competition, such as—

(I) the subject of the competition;

(II) the duration of the competition;

(III) the eligibility requirements for participation in the competition;

(iv) the process for participants to register for the competition;

(v) the amount of the prize; and

(vi) the criteria for awarding the prize.

(D) ANTI-DEFICIENCY ACT.—The Secretary shall carry out the competition for which the individual or entity will serve as a judge, or

(E) COMMERCIAL DEPLOYMENT.—The Secretary shall consult with appropriate members of private industry involved in the commercial deployment of energy storage systems.

(F) ADVERTISING AND SOLICITATION OF COMPETITORS.—

(A) IN GENERAL.—The Secretary shall advertise each prize competition under the program by publishing a notice in the Federal Register.

(B) REQUIREMENTS.—Each notice published under subparagraph (A) shall describe—

(i) the essential elements of the competition, such as—

(I) the subject of the competition;

(II) the duration of the competition;

(iii) the eligibility requirements for participation in the competition;

(iv) the process for participants to register for the competition;

(v) the amount of the prize; and

(vi) the criteria for awarding the prize.

(7) JUDGES.—

(A) IN GENERAL.—For each prize competition under the program, the Secretary shall assemble a panel of qualified judges to select the winner or winners of the competition on the basis of the criteria established under paragraph (5).

(B) SELECTION.—The judges for each competition shall include appropriate members of private industry involved in the commercial deployment of energy storage systems.

(C) CONFLICTS.—An individual may not serve as a judge in a prize competition under the program if the individual, the spouse of the individual, any child of the individual, or any other member of the household of the individual—

(i) has a personal or financial interest in, or is an employee, officer, director, or agent of, any entity that is a registered participant in the competition for which the individual will serve as a judge; or

(ii) has a familial or financial relationship with a registered participant in the competition for which the individual will serve as a judge.

(B) REPORT TO CONGRESS.—Not later than 60 days after the date on which the first prize is awarded under the program, and subsequently, the Secretary shall submit to Congress a report that—

(i) identifies each award recipient in the competition and the advanced methods or technologies developed by each award recipient; and

(ii) specifies actions taken by the Department toward commercial application of all methods or technologies with respect to which a prize has been awarded under the program.

(E) ADVERTISING AND SOLICITATION OF COMPETITORS.—

(A) IN GENERAL.—The Secretary shall carry out the program in accordance with section 1341 of title 31, United States Code (commonly referred to as the ‘Anti-Deficiency Act’).

(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to
carry out this subsection $10,000,000 for each fiscal year 2021 through 2025, to remain available until expended.

(f) REGULATORY ACTIONS TO ENCOURAGE ENERGY STORAGE DEPLOYMENT.—

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term ‘Commission’ means the Federal Energy Regulatory Commission.

(B) ELECTRIC STORAGE RESOURCE.—The term ‘electric storage resource’ means a resource capable of receiving electric energy from the grid and storing that electric energy for later injection back into the grid.

(2) REGULATORY ACTION.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall issue a regulation to identify the eligibility of, and process for, electric storage resources—

(i) to receive cost recovery through Commission-regulated rates for the transmission of electric energy in interstate commerce; and

(ii) that receive cost recovery under clause (i) to receive compensation for other services (such as the sale of energy, capacity, or ancillary services) without regard to whether those services are provided concurrently with the transmission service described in clause (i).

(B) PROHIBITION OF DUPLICATE RECOVERY.—

Any amount under subparagraph (A) shall preclude the receipt of unjust and unreasonable double recovery for electric storage resources providing services described in clauses (i) and (ii) of that subparagraph.

(3) ELECTRIC STORAGE RESOURCES TECHNICAL CONFERENCE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall convene a technical conference on the potential for electric storage resources to improve the operation of electric systems.

(B) REQUIREMENTS.—The technical conference under subparagraph (A) shall—

(i) identify all energy, capacity, and ancillary service products, market designs, or rules that—

(I) are within the jurisdiction of the Commission;

(II) enable and compensate for the use of electric storage resources that improve the operation of electric systems;

(ii) examine additional products, market designs, or rules that would enable and compensate for the use of electric storage resources for improving the operation of electric systems; and

(iii) examine additional products, market designs, or rules that would enable and compensate for the use of electric storage resources for improving the operation of electric systems.

(c) MODIFICATION OF CONGRESSIONAL REPORTS PROCESS.—

SEC. 632. INCREASE OF AMOUNTS AVAILABLE TO MARINE CORPS FOR BASE OPERATIONS AND SUPPORT.

(a) INCREASE OF BASE OPERATIONS AND SUPPORT.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby increased by $47,600,000, with the amount of the increase to be available for base operations and support (SAG 8881).

(b) OFFSETS.—

(1) OPERATION AND MAINTENANCE.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby reduced by $47,600,000, with the amount of the reduction to be derived from Line 7, Modification Kits.

(2) DIRECT SUPPORT MUNITION PROCUREMENT.—

The amount authorized to be appropriated for fiscal year 2021 for procurement for the Marine Corps, is hereby reduced by $53,100,000, with the amount of the reduction to be derived from Line 7, Direct Support Munitions.

(d) MODERNIZATION OF CONGRESSIONAL REPORTS PROCESS.—

(a) INCREASE IN O&M, DEFENSE-WIDE ACTIVITIES.—

During the national emergency declared under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (commonly referred to as ‘COVID-19’), the Secretary of Defense may waive section 2307(e)(2) of title 10, United States Code, with respect to progress payments for any undefinitized contract.
SEC. 2. TRANSFER OF MARE ISLAND NAVAL CEMETERY TO SECRETARY OF VETERANS AFFAIRS FOR MAINTENANCE BY NATIONAL CEMETARY ADMINISTRATION.

(a) AGREEMENT.—Beginning on the date that is 180 days after the date on which the Secretary of Veterans Affairs submits the report required by subsection (c)(1), the Secretary of Veterans Affairs shall seek to enter into an agreement with the city of Vallejo, California, under which the city of Vallejo shall transfer to the Secretary all right, title, and interest in the Mare Island Naval Cemetery in Vallejo, California, at no cost to the Secretary. The Secretary shall seek to enter into such agreement before the date that is one year after the date on which such report is submitted.

(b) MAINTENANCE BY NATIONAL CEMETARY ADMINISTRATION.—If the Mare Island Naval Cemetery is transferred to the Secretary of Veterans Affairs pursuant to subsection (a), the National Cemetery Administration shall maintain the cemetery as a national shrine.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Foreign Relations of the House of Representatives a report on the feasibility and advisability of exercising the authority granted by subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) the appropriate congressional committees;
(B) the majority leader and minority leader of the Senate; and
(C) the majority leader, and the minority leader of the House of Representatives.

(d) ELECTRONIC AND CAMPAIGN INFRASTRUCTURE.—The term “electronic and campaign infrastructure” means information and communication technologies and systems used by or on behalf of—

(A) the Federal Government or a State or local government in managing the election process, including voter registration databases, voting machines, voting tabulation equipment, equipment for the secure transmission of election results, and other systems; or
(B) a principal campaign committee or national committee (as those terms are defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 30101)) with respect to a candidate for office, official of the Government, or government agency with respect to a United States election, does not include any foreign person acting as an agent of or on behalf of—

(A) the Government of a foreign country;
(B) the Government of the Russian Federation identified under section 241(a)(1)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115-44; 131 Stat. 922); or
(C) a principal campaign committee or national committee (as those terms are defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 30101)).

(e) FEDERAL ELECTION CYCLE.—The term “Federal election cycle” means the period beginning on the day after the date of the most recent election for members of the House of Representatives and ending on the date of the next election for members of the House of Representatives.

(f) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(g) GOOD.—The term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(h) INTERFERENCE IN UNITED STATES ELECTIONS.—

(1) IN GENERAL.—Except as provided in subparagraph (B), the term “interference”, with respect to a United States election, means any of the following actions of the Government, or any person acting as an agent of or on behalf of—

(A) a principal campaign committee or national committee (as those terms are defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 30101)) with respect to a candidate for office, official of the Government, or government agency and no foreign person that engaged in such interference;

(B) the Government of a foreign country nor any foreign person acting as an agent of or on behalf of any foreign person that engaged in such interference, a list of any foreign person engaged in such interference, a list of any foreign person engaged in such interference,

(C) the Director shall, not later than 60 days after a United States election, the Director subsequently determines that interference did occur.

SEC. 11. DETERMINATION OF FOREIGN INTERFERENCE IN UNITED STATES ELECTIONS.

(a) IN GENERAL.—Not later than 60 days after a United States election, the Director, as defined in section 1845, shall submit to the appropriate congressional committees and leadership a report on that election; and

(b) ADDITIONAL REPORTING.—If the Director of National Intelligence determines and reports under subsection (a) that neither the government of a foreign country nor any foreign person acting as an agent of or on behalf of that government, that government, or any foreign person engaged in such interference, a list of any foreign person engaged in such interference,

(c) IN general.—Not later than 60 days after a United States election, the Director, as defined in section 1845, shall submit to the appropriate congressional committees and leadership a report on that election; and

SEC. 12. DETERMINATION OF FOREIGN INTERFERENCE IN UNITED STATES ELECTIONS.
making that determination, submit to the appropriate congressional committees and leadership—

(1) a report on the subsequent determination; and

(2) if the Director determines that the Gov-
ernment of the Russian Federation, or any for-
"such individual were acquired and how such
and not less frequently than biannually
after the date of the enactment of this Act,
section (a) shall be made available to the
PORTANT FACTS.—
(b)''.
ecquiring under subsection (a), the follow-
ing report is made, impose the following san-
ocies to projects and construction.
the term ‘‘funds’’ means—
(i) cash;
(ii) equity;
(iii) any other intangible asset the value of
from a contractual claim, including bank
deposits, bonds, stocks, a security
(defined as defined in section 2(a) of the
Securities Act of 1933 (15 U.S.C. 77(a)),)

SEC. 22. IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—If the Director of Na-
tional Intelligence determines under [sec-
ction 241 of the Countering Russian In-
fluence in Europe and Eurasia Act of 2017 (title II of
Public Law 115–44; 131 Stat. 922)] that the Russian Fede-
aral Intelligence determines under
in consultation with the Director of National
Intelligence and the Secretary of State, shall
submit to the appropriate congressional com-
mittees an updated report on oligarchs
and parastatal entities of the Russian Fed-
eration that builds on the report submitted
under subsection (a) on January 29, 2018, and
that includes descriptions of individuals
(1) through (5) of subsection (a), ‘‘ and
(3) in subsection (c), as redesignated by
paragraph (1), by striking ‘‘The report re-
qured under subsection (a)’’ and inserting
The reports required by subsections (a) and
(b)’’.

TITLE—DETERMINING INTER-
ERENCE IN UNITED STATES ELEC-
TIONS BY THE RUSSIAN FEDERATION

SEC. 21. REPORT ON ESTIMATED NET WORTH OF PRESIDENT VLADIMIR PUTIN AND OTHER FOREIGN POLITICAL FIGURES OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 180 days
after the date of the enactment of this Act, and
not less frequently than biannually thereafter, the President shall submit to the appro-
riate congressional committees a re-
port that contains—

(1) the estimated total net worth of each
described in subsection (b); and

(2) a description of how the funds of each
such individual were acquired and how such funds have been used or employed.

(b) INDIVIDUALS DESCRIBED.—The individ-
uals described in this subsection are the fol-
owing:

(1) President Vladimir Putin.

(2) Any other senior foreign political figure
of the Russian Federation identified in the
report under subsection (a)(1)(A) of section
241 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of
Public Law 115–44; 131 Stat. 922) or up-
date to that report under subsection (b) of
such section, as added by [section 12].

(c) FORM OF REPORT; PUBLIC AVAIL-
ABILITY.

(1) FORM.—The report required under
subsection (a) shall be submitted in unclassified form but may contain a classified
annex.

(2) UNCLASSIFIED.—The unclassified
portion of the report required under
subsection (a) shall be made available to the
public in precompressed, easily downloadable
versions that are made available in all ap-
propriate formats.

(d) SOURCES OF INFORMATION.—In preparing
the report required under section (a), the
President may use any credible publication,
database, or web-based resource, and any
credible information compiled by any gov-
ernmental or any nongovernmental organiza-
tion, or other entity provided to or made
available to the President.

(e) FUNDS DEFINED.—In this section, the

term ‘‘funds’’ means—

(1) cash;

(2) equity;

(3) any other intangible asset the value of
which is derived from a contractual claim,
including bank deposits, bonds, stocks, a security
(defined as defined in section 2(a) of the
Securities Act of 1934 (15 U.S.C. 78c(a)),) or a secu-
ity or an equity security (as those terms are
defined in section 3(a) of the Securities Ex-
change Act of 1934 (15 U.S.C. 78c(a)); and

(4) anything else of value that the Sec-

ber of the Treasury determines to be
appropriate.

(5) PUBLIC AVAILABILITY.—The unclassified
report if such property and interests in
property and interests in property of any for-

terests in property are in the United States,
come within the States, or are or come
within the possession or control of a United
States person.

(B) ENTITIES DESCRIBED.—An entity de-
scribed in this subparagraph is—

(i) an entity that the President determines
pursuant to section 231 of the Countering
Russian Influence in Europe and Eurasia Act
of 2017 [(22 U.S.C. 9025) is part of, or operates
for or on behalf of, the defense or intel-
lence sectors of the Government of the
Russian Federation;

(ii) an entity in which an entity described
in clause (i) has an ownership interest of
more than 50 percent.

(4) PROHIBITION ON TRANSACTIONS INVOLVING CERTAIN RUSSIAN DEBT.—The Secretary of the Treasury shall, pursuant to such regulations as the Secretary may prescribe, prohibit all transactions within the United States by or for a United States person, in—

(A) sovereign debt of the Government of the Russian Federation issued on or after the date of the enactment of this Act, including governmental bonds; and

(B) debt of any entity owned or controlled by the Russian Federation issued on or after such date of enactment, including bonds.

(5) BLOCKING THE ASSETS OF SENIOR POLITICAL FIGURES AND OLIGARCHS AND EXCLUSION FROM THE UNITED STATES.

(a) IN GENERAL.—The President shall im-
pose with respect to any senior foreign political figure or oligarch in the Russian Federa-
tion described under paragraph (2) of [section
11] the following sanctions:

(i) Pursuant to the International Emer-
et seq.), blocking and prohibiting all trans-
actions in all property and interests in prop-
erty of the entity if such property and inter-
est in property are in the United States,
come within the United States, or are or come within the possession or control of a United
States person.

(ii) Prohibiting, or imposing strict condi-
tions on, the opening or maintaining in the
United States of a correspondent account or payable-through account by the entity.

(b) ENTITIES SPECIFIED.—The entities spec-
ified in this subparagraph are the following:

(1) Sberbank.

(2) VTB Bank.

(3) Gazprombank.

(4) Vnesheconombank.

(5) Rosselkhozbank.

(6) PROHIBITION ON NEW INVESTMENTS IN EN-
ERGY SECTOR OF RUSSIA.

(a) PROHIBITION.—The President shall pro-
hibit any new investment made in the
United States or by a United States person
in, by, through, or on behalf of a compa-
ny identified in this subparagraph or any
energy company of the Russian Federation.

(b) SANCTIONS.—The President shall, pur-
suant to the International Emergency Eco-
nomic Powers Act (50 U.S.C. 1701 et seq.),
block and prohibit all transactions in all
property and interests in property of any for-
ign person that makes a new investment in
the energy sector of the Russian Federation
or an energy company of the Russian Federation.

(c) FORM OF REPORT; PUBLIC AVAIL-
ABILITY.

(1) FORM.—The report required under
section (a) shall be submitted in unclassified
form but may contain a classified
employ.

(2) UNCLASSIFIED.—The unclassified
portion of the report required under
section (a) shall be made available to the

(b) UPDATE REPORT.—Not later than one
year after the date of the enactment of this
Act, the Secretary of the Treasury shall,

(i) Pursuant to the International Emer-
et seq.), block and prohibit all transactions in all
property and interests in property of any for-
nign person acting as an agent of or on behalf of
that Government,

(ii) an entity in which an entity described
in clause (i) has an ownership interest of
more than 60 days after the date of the enactment

(E) SOURCES OF INFORMATION.—In preparing
the report required under section (a), the
President may use any credible publication,
database, or web-based resource, and any
credible information compiled by any gov-
ermental or any nongovernmental organiza-
tion, or other entity provided to or made
available to the President.

(4) anything else of value that the Sec-

by inserting after subsection (a) the fol-

(2) BLOCKING THE ASSETS OF SENIOR M SECTIONAL FIGURES AND OLIGARCHS AND EXCLUSION FROM THE UNITED STATES.

(a) IN GENERAL.—The President shall im-
pose with respect to any senior foreign political figure or oligarch in the Russian Federa-
tion described under paragraph (2) of [section
11] the following sanctions:

(i) Pursuant to the International Emer-
et seq.), blocking and prohibiting all trans-
actions in all property and interests in prop-
erty of the entity if such property and inter-
est in property are in the United States,
come within the United States, or are or come within the possession or control of a United
States person.

(ii) Prohibiting, or imposing strict condi-
tions on, the opening or maintaining in the
United States of a correspondent account or payable-through account by the entity.

(b) ENTITIES SPECIFIED.—The entities spec-
ified in this subparagraph are the following:

(1) Sberbank.

(2) VTB Bank.

(3) Gazprombank.

(4) Vnesheconombank.

(5) Rosselkhozbank.

(6) PROHIBITION ON NEW INVESTMENTS IN EN-
ERGY SECTOR OF RUSSIA.

(a) PROHIBITION.—The President shall pro-
hibit any new investment made in the
United States or by a United States person
in, by, through, or on behalf of a compa-
nany identified in this subparagraph or any
energy company of the Russian Federation.

(b) SANCTIONS.—The President shall, pur-
suant to the International Emergency Eco-
nomic Powers Act (50 U.S.C. 1701 et seq.),
block and prohibit all transactions in all
property and interests in property of any for-
nign person that makes a new investment in
the energy sector of the Russian Federation
or an energy company of the Russian Federation.

(c) FORM OF REPORT; PUBLIC AVAIL-
ABILITY.

(1) FORM.—The report required under
section (a) shall be submitted in unclassified
form but may contain a classified
employ.
(a) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and
(b) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(c) EXCEPTIONS.—
(1) IMPORTATION OF GOODS.—The requirement to impose sanctions under subsection (a) shall not include the authority to impose sanctions with respect to the importation of goods.

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Subsection (a)(5)(A)(ii) shall not apply with respect to the admission of an alien to the United States.

(3) ACTIVITIES OF NASA.—The requirement to impose sanctions under subsection (a) shall not apply with respect to activities of the National Aeronautics and Space Administration.

(d) IMPLEMENTATION; PENALTIES.—
(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) EXTENSION OF PERIOD TO ALLOW CESSATION OF BUSINESS.—The President may extend the 30-day period specified in subsection (a), except with respect to sanctions under paragraph (5) of that subsection, by written notice submitted to the appropriate congressional committees that the extension—
(1) is necessary to protect the national security interest of the United States; and
(2) is necessary to enable non-Russian persons impacted by sanctions under subsection (a) to wind down business prohibited as a result of those sanctions.

(f) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under subsection (a) with respect to a person, except sanctions under paragraph (5) of that subsection, if the President submits to the appropriate congressional committees a determination in writing that—
(1) the waiver is in the vital national security interest of the United States; and
(2) is necessary to enable non-Russian persons impacted by sanctions under subsection (a) to wind down business prohibited as a result of those sanctions.

(g) SUSPENSION.—The President may suspend sanctions imposed under subsection (a) on or after the date on which the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of the Treasury, and the Attorney General, submits to the appropriate congressional committees and leadership a report that includes—
(1) a strategy of the President to deter interference in a United States election by the Government of the Russian Federation in elections; and
(2) proposed sanctions if that government engages in such interference and any authority provided by law to impose such sanctions; and
(3) the appropriate congressional committees and leadership a report that includes—
(1) the waiver is in the vital national security interest of the United States; and
(2) is necessary to enable non-Russian persons impacted by sanctions under subsection (a) to wind down business prohibited as a result of those sanctions.

(h) TERMINATION.—The President may terminate sanctions imposed under subsection (a) on or after the date on which the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, certifies to the appropriate congressional committees and leadership a report that includes—
(1) the waiver is in the vital national security interest of the United States; and
(2) is necessary to enable non-Russian persons impacted by sanctions under subsection (a) to wind down business prohibited as a result of those sanctions.

SEC. 23. CONGRESSIONAL REVIEW OF WAIVER, SUSPENSION, AND TERMINATION OF SANCTIONS.
Section 216(a)(2) of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(2)) is amended—
(1) in subparagraph (A)(i), by inserting ‘‘or suspend the application of sanctions described in subparagraph (B)(i)(IV)’’ after ‘‘subparagraph (B);’’ and
(2) in subparagraph (B)(i)—
(A) in subclause (II), by striking ‘‘; or’’ and inserting a semicolon;
(B) in subclause (III), by striking ‘‘; and’’ and inserting ‘‘; or’’; and
(C) by adding at the end the following: ‘‘[(IV) [section 23] of the Defending Elections from Threats by Establishing Redlines Act of 2020];’’

SEC. 24. SENSE OF CONGRESS ON STRATEGY OF THE PRESIDENT TO DETER INTERFERENCE IN UNITED STATES ELECTIONS BY THE GOVERNMENT OF EURASIA’S ADVERSARIES THROUGH SANCTIONS ACT.
It is the sense of Congress that, not later than 180 days after the date of the enactment of this Act, the President should submit to the appropriate congressional committees a strategy for how the United States will—
(1) work in concert with the European Union and member countries of the European Union to deter interference in elections; and
(2) coordinate with the European Union and member countries of the European Union to enact legislation similar to this Act.

SEC. 31. BRIEFING ON INTERFERENCE IN UNITED STATES ELECTIONS.
Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President, or a designee of the President, shall submit to the appropriate congressional committees and leadership on any government of a foreign country, or person acting as an agent of or on behalf of that government, that in the President’s view the President has engaged or is likely to engage in interference in a United States election.

SEC. 32. SENSE OF CONGRESS ON DETERRING STRATEGIES FOR INTERFERENCE IN UNITED STATES ELECTIONS BY FOREIGN GOVERNMENTS OF CONCERN.
It is the sense of Congress that, not later than 90 days after the date of the enactment of this Act, the President should submit to the appropriate congressional committees and leadership a report that includes—
(1) a strategy of the President to deter interference in a United States election by the Government of the Russian Federation in elections; and
(2) proposed sanctions if that government engages in such interference and any authority provided by law to impose such sanctions; and
(3) other actions undertaken by Federal agencies or in cooperation with other countries to deter such interference; and
(4) a plan for communicating such deterrence actions to those governments.
SEC. 12. IMPOSITION OF SANCTIONS WITH RESPECT TO THEFT OF TRADE SECRETS OF UNITED STATES PERSONS.

(a) Report Required.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees a report—

(A) identifying, for the 180-day period preceding submission of the report—

(i) any foreign person that has engaged in, or benefited from, significant and serial theft of United States persons, if the theft of such trade secrets is reasonably likely to result in, or has materially contributed to, a significant threat to the national security, foreign policy, or economic health or financial stability of the United States;

(ii) any foreign person that has materially assisted or sponsored such theft;

(iii) any foreign person that has provided financial, material, or technological support for, or goods or services in support of or to benefit from, such theft;

(iv) any entity owned or controlled by, or that has acted or purported to act for or on behalf of, directly or indirectly, any foreign person identified under clause (i), (ii), or (iii); and

(B) describing the nature, objective, and outcome of the theft of trade secrets each foreign person described in subparagraph (A) engaged in, or benefited from, activity described in clause (1), (ii), or (iii) of that subparagraph.

(2) EXCEPTION.—The President is not required to include in a report required by paragraph (1) the name of any foreign person if the President—

(A) determines that such a waiver is in the national security interests of the United States; and

(B) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(b) Authority to Impose Sanctions.—

(1) IN GENERAL.—The President may impose the following sanctions under subsection (a)(2) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702 et seq.) or any other authorized international activities of the United States.

(2) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to impose sanctions under paragraph (1)(A) or (2)(A) of subsection (b) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term "good" means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding digital data.

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Subsection (b)(2)(B) shall not apply with respect to the admission of an individual to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(4) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under subsection (b) with respect to a person if the President—

(A) determines that such a waiver is in the national security interests of the United States; and

(B) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(5) TERMINATION OF SANCTIONS.—Sanctions imposed under subsection (b) with respect to a foreign person identified in a report submitted under paragraph (1) shall terminate if the President certifies to the appropriate congressional committees that the person is no longer engaged in the activity identified in the report.

(6) IMPLEMENTATION; PENALTIES.—

(A) IMPLEMENTATION.—The President may exercise all authorities provided under section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(B) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or (2)(A) of subsection (b) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as if the act constituting such an unlawful act was described in subsection (a) of that section.

(g) DEFINITIONS.—In this section—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) EXPORT ADMINISTRATION REGULATIONS.—The term "Export Administration Regulations" means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(3) FOREIGN ENTITY.—The term "foreign entity" means an entity that is not a United States person.

(4) FOREIGN PERSON.—The term "foreign person" means a person that is not a United States person.

(5) TRADE SECRET.—The term "trade secret" has the meaning given that term in section 1839 of title 18, United States Code.

(6) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

SA 1848. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 1049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; and follows:

At the appropriate place in title XVI, add the following:

Subtitle I — Limitations on Exportation of Nuclear Testing

SEC. 01. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the national security interest of the United States to continue to observe the national moratorium on explosive nuclear testing;

(2) maintaining the national moratorium on nuclear testing advances United States national security objectives and helps constrain the nuclear arsenals of adversaries;

(3) the United States should pursue the entire force of the international Test-Ban Treaty as a means of enabling use of the treaty’s on-site inspection measures and resolving compliance concerns related to the nuclear testing moratorium commitments of other countries; and

(4) the United States should continue to improve and invest in the Stockpile Stewardship Program to ensure the nuclear stockpile in the absence of nuclear testing.
shall submit to the appropriate congressional committees an independent analysis conducted by the Board in accordance with the mission of the Board under section 312 of the Atomic Energy Act of 1946 (42 U.S.C. 2266c) under the authority of the Defense Nuclear Facilities Safety Board. (B) PUBLIC HEARING.—(1) IN GENERAL.—Not less than 120 days after Congress receives all of the documents required by paragraphs (1) through (4), the Secretary of Defense, the Secretary of Energy, and the Commander of the United States Strategic Command, shall submit to the appropriate congressional committees a report on the proposed test that includes the following: (A) The date on which the President proposes to conduct the test. (B) The location of the test site. (C) An estimate of the costs of conducting the test and any subsequent activities related to the test. (D) A description of how resumption of nuclear testing would impact the schedule and cost of the nuclear weapons stockpile stewardship, management, and responsiveness plan of the National Nuclear Security Administration under section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523). (E) An assessment of the desired technical and nuclear weapons design data that conducting the test would generate. (F) A discussion of why the science-based tools and methods and any other capabilities under the Stockpile Stewardship Program are insufficient to generate the data described in subparagraph (E). (G) An assessment of the anticipated yield and nuclear weapons design data of the International Monitoring System and Interest- ing with the Nuclear Non-Proliferation Treaty’’; and (ii) key nonproliferation and arms control objectives of the United States. (B) CERTIFICATION RELATED TO SAFETY, SECURITY, AND RELIABILITY OF NUCLEAR WEAPONS STOCKPILE.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Secretary of Energy (with the concurrence of the Administrator for Nuclear Security), shall each submit to the appropriate congressional committees a certification that the test is required by clause (i) of the Board, under the authority provided by section 313 of the Atomic Energy Act of 1946 (42 U.S.C. 2266b). (5) NATIONAL INTELLIGENCE ESTIMATE.—(A) IN GENERAL.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the National Intelligence Estimate required by clause (i) shall be conducted, in the case of the Board, under the authority provided by section 313 of the Atomic Energy Act of 1946 (42 U.S.C. 2266b). (B) ELEMENTS.—The National Intelligence Estimate required by subparagraph (A) shall include the following: (i) a detailed executive summary and judgments; and (ii) a more detailed, classified report. (B) CERTIFICATION BY DEPARTMENT OF STATE.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the President, the Secretary of Defense, the Secretary of State, and the Secretary of Energy (with the concurrence of the Administrator for Nuclear Security), shall each submit to Congress a certification that conducting the test is in the national security interest of the United States. (8) CERTIFICATION RELATED TO SAFETY, SECURITY, AND RELIABILITY OF NUCLEAR WEAPONS STOCKPILE.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the National Nuclear Security Administration and the Commander of the United States Strategic Command shall each submit to the appropriate congressional committees a certification that the test is required to certify the safety, security, and reliability of the nuclear weapons stockpile of the United States. (9) CERTIFICATION BY DEPARTMENT OF STATE.—Not later than 90 days after submitting a document required under any of paragraphs (1) through (8), the responsible official for submitting that document shall brief the appropriate congressional committees on the document. (10) ENACTMENT OF JOINT RESOLUTION OF APPROPRIATION.—Not later than 90 days after Congress receives all of the documents required under paragraphs (1) through (8), there is enacted into law a joint resolution that appropriates the conduct by the United States of a nuclear test described under subsection (a).

(c) FORM OF REPORTS AND CERTIFICATIONS.—Each report and certification required by this subsection shall be submitted in unclassified form, but may include a classified annex.

(5) NUCLEAR WEAPONS TESTING FUNDING.—In this section shall be construed to limit activities under the Stockpile Stewardship...
At the end of subsection C of title VI, add the following:

SEC. 94. RELIEF FOR RICHARD W. COLLINS III.

(a) FINDINGS.—Congress makes the following findings:

(1) On May 20, 2017, Lieutenant Richard W. Collins III was murdered on the campus of the University of Maryland, College Park, Maryland.

(2) At the time of his murder, Lieutenant Collins had graduated from the Reserve Officer's Training Corps at Bowie State University and received a commission in the United States Army.

(3) At the time of the murder of Lieutenant Collins, 14 Senior Reserve Officers' Training Corps who received a commission but died before receiving a first duty assignment were not eligible for a death gratuity under section 1475(a)(4) of title 10, United States Code, or for casualty assistance under section 633 of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 1475 note).

(b) FUNDING.—The funds needed to construct or make preparations for a nuclear test, including the cost of facilities of the International Monitoring System, are obligated or expended to dissemble, or undertake any other activity that would in any way impede the transmission of monitoring data from facilities of the International Monitoring System of the Comprehensive Nuclear-Test-Ban Treaty Organization located on United States territory.

SA 1849. Mr. VAN HOLLEN (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to preserve military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII of division A, add the following:

Subtitle H—Global Health Security

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Global Health Security Act of 2020”.

SEC. 1292. DEFINED TERMS.

In this subtitle, the term “global health security” means the activities required to minimize the damage and impact of acute public health threats that endanger the collective health of populations living across geographical regions and international boundaries.

SEC. 1293. POLICY OBJECTIVES.

It is the policy of the United States—

(1) to advance global health security through engagement in a multi-faceted, multi-country, multi-sectoral framework to accelerate targeted partner countries’ measurable capabilities to achieve specific targets to prevent, detect, and respond to infectious disease threats, whether naturally occurring, deliberate, or accidental;

(2) to encourage governments and multilateral institutions, including development banks, nongovernmental organizations, and private sector stakeholders throughout the world to make fortifying health security a national priority and a key commitment;

(3) to build and to emphasize improving coordination and collaboration across governmental and societal sectors to help strengthen health systems and pandemic preparedness.

SEC. 1294. GLOBAL HEALTH SECURITY SPECIAL ADVISOR.

(a) IN GENERAL.—There is established, within the Executive Office of the President, the position of Special Advisor for Global Health Security (referred to in this subtitle as the “Advisor”), who shall be appointed by the President, at a level not lower than that of Deputy Assistant to the President. In selecting the Advisor, the President should appoint a staff member of the National Security Council.

(b) GENERAL DUTIES.—The Advisor shall—

(1) serve as the President’s principal advisor on global health security and global health emergencies;

(2) coordinate the United States Government’s efforts to carry out global health security activities, including participation in the Global Health Security Agenda; and

(c) SPECIFIC DUTIES.—The duties of the Advisor shall include—

(1) ensuring program and policy coordination among the relevant executive branch agencies and nongovernmental organizations, including multilateral organizations;

(2) ensuring that each relevant executive branch agency undertakes programs primarily in areas in which the agency has the greatest expertise, technical capabilities, and potential for success;

(3) avoiding duplication of effort;

(4) ensuring through interagency and international coordination, that global health security programs of the United States are coordinated with, and complementary to, the delivery of related global health, food security, development, and education programs;

(5) establishing due diligence criteria for all arrangements of full or partial assistance by the Federal Government for global health security assistance;
(6) developing policy that will prioritize global health security, especially the role of building low- and middle-income country capacity to contain pandemic threats, in all relevant aspects of global and national health, research and development, and biodefense strategies, including the National Health Security Strategy, the National Security Strategy, and the National Biodefense Strategy; and

(7) articulating assessment standards that—

(A) measure countries’ individual status and progress in building the necessary capacities to prevent, detect, and respond to infectious disease threats, in accordance with agreed-upon indicators of performance, and in support of full implementation of the International Health Regulations, adopted at Geneva May 23, 2005;

(B) be a key implementer of such activities; and

(C) ensure an objective approach and facilitate cross-sectoral learning; and

(D) are part of the capacity building cycle designed to inform national priority setting, target resources, and track progress.

(d) COORDINATION.—In carrying out the duties set forth in subsection (b), the Advisor shall—

(1) coordinate the implementation of United States Government efforts referred to in subsection (b)(2) with relevant international stakeholders and organizations; and

(2) coordinate with the Administrator of the United States Agency for International Development, who is responsible for the coordination of the provision of international humanitarian assistance by the United States Government.

(e) MONITORING.—To ensure that adequate measures are established and implemented, the Centers for Disease Control and Prevention should—

(1) advise the Advisor on monitoring, surveillance, and evaluation activities; and

(2) be a key implementer of such activities under this section.

(f) FORM.—The reports required under subsection (a) and (b) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1295. INTERAGENCY REVIEW COUNCIL.

(a) IN GENERAL.—The Global Health Security Interagency Review Council (referred to in this section as the “Council”) shall be composed of representatives of—

(1) the Department of Homeland Security, including the Assistant Secretary for Defense Health Affairs;

(2) the Department of State;

(3) the Centers for Disease Control and Prevention;

(4) the United States Agency for International Development;

(5) the Department of Agriculture, including the Animal Plant Health Inspection Service and the Food Safety and Inspection Service;

(6) the Department of Health and Human Services, including the National Institutes of Health;

(7) the Department of Homeland Security;

(8) the Department of Justice, including the Federal Bureau of Investigation;

(9) the Environmental Protection Agency;

(10) the Office of Management and Budget;

(11) the Office of Science and Technology Policy; and

(12) any other agency that the representa-

tives of the agencies set forth in paragraphs (1) through (11) determine, by consensus, to be appropriate.

(b) MEETINGS.—The Council shall meet at least 4 times per year to advance its mission and fulfill its responsibilities under this section.

(c) FUNCTIONS.—The Council shall—

(1) provide policy-level guidance to participating agencies on global health security goals, objectives, and implementation; and

(2) facilitate interagency engagement to carry out global health security activities, including the Global Health Security Agenda.

(3) develop a forum for raising and working to resolve interagency disagreements concerning the global health security goals, objectives, and benchmarks.

(4) develop and publish benchmarks for—

(A) assessing, measuring, and improving global health security outcomes; and

(B) identifying criteria for designating priority countries.

(5) review the progress toward, and work to resolve challenges to, achieving United States Government commitments to global health security activities, agreements, and organizations, including the Global Health Security Agenda and other commitments to assist other countries in achieving agreed-upon global health security targets; and

(6) consider, among other issues—

(A) the status of United States financial commitments to global health security in the context of commitments by other donors, and the contributions of partner countries to achieve global health security targets, including the Global Health Security Agenda;

(B) progress toward the milestones outlined in global health security national plans for those countries where the United States Government has committed to assist in global health security activities and in annual work plans outlining agency priorities for implementing global health security strategies, including the Global Health Security Agenda; and

(C) external evaluations of the capabilities of the United States and partner countries to address infectious disease threats, including—

(i) the ability to achieve the targets outlined in the Joint External Evaluation process; and

(ii) gaps identified by such external evaluations.

(d) SPECIFIC ROLES AND RESPONSIBILITIES.—

(1) IN GENERAL.—The heads of the agencies referred to in subsection (a) shall—

(A) make the implementation of the Global Health Security Agenda (referred to in this subsection as “GHSA”) and successor activities a high priority for their respective agencies, and include GHSA-related activities within their respective agencies’ strategic planning and budget processes;

(B) designate a senior level official to be responsible for the implementation of this section; and

(C) designate an appropriate representative at a senior level or higher, to represent the agency on the Council.

(2) provide policy-level guidance to participating agencies on global health security goals, objectives, and implementation; and

(3) coordinate with other agencies referred to in subsection (a) to satisfy programmatic goals, and further facilitate coordination of country teams, implementers, and donors in host countries; and

(4) coordinate across GHSA national plans and with GHSA partners to which the United States provides financial support.

(2) ADDITIONAL ROLES AND RESPONSIBILITIES.—In addition to the roles and responsibilities described in paragraph (1), the heads of agencies referred to in subsection (a) shall carry out their respective roles and responsibilities described in subsections (b) through (11) of section 13747 (81 Fed. Reg. 78701; relating to Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats), in addition to the duties set forth in subsection (a) by establishing—

(3) platforms for regular consultation and collaboration with key stakeholders and the appropriate congressional committees.

(e) STRATEGIC SUBCOMMITTEES.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the President, in consultation with the heads of each relevant Federal department and agency, shall submit, to the appropriate congressional committees—

(A) the strategy required under subsection (a); and

(B) a detailed description of how the United States intends to advance the policy objectives described in section 1296 and the agency-specific plans described in paragraph (2).

(2) AGENCY-SPECIFIC PLANS.—The strategy required under subsection (a) shall include agency-specific plans from each relevant Federal department and agency that describes—

SEC. 1297. ANNUAL NATIONAL INTELLIGENCE ESTIMATE.

The National Intelligence Council shall produce a National Intelligence Estimate regarding the risk of pandemics from highly infectious and novel diseases.

SEC. 1026. SENSE OF CONGRESS ON THE NAMING OF A NAVAL VESSEL.

(a) FINDINGS.—Congress makes the following findings:

(1) Senior Chief Petty Officer Shannon M. Kent was born in Owego, New York.

(2) Senior Chief Petty Officer Kent enlisted in the United States Navy on December 10, 2003.

(3) Senior Chief Petty Officer Kent was fluent in four languages and four dialects of Arabic.

(4) Senior Chief Petty Officer Kent served five combat tours throughout 15 years of service in the Navy.

(5) On January 16, 2019, at 35 years of age, Senior Chief Petty Officer Kent was killed in a suicide bombing in Manbij, Syria, while supporting Joint Task Force-Operation Inherent Resolve.

(6) Senior Chief Petty Officer Kent was the recipient of the Bronze Star, the Purple Heart, two Joint Service Commendation Medals, the Navy and Marine Corps Commendation Medal, and the Joint Service Achievement Medal, among other decorations and awards.

(7) Senior Chief Petty Officer Kent was among the first women to deploy with Special Operations Forces and was the first female to graduate from the hard skills program for non-SEALs.

(8) Senior Chief Petty Officer Kent is survived by her husband and two children.

(b) SENSE OF CONGRESS.—Congress makes the sense of Congress that the Secretary of the Navy should name the next available naval vessel appropriate for such name in honor of Senior Chief Petty Officer Shannon Kent.
him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. __. INCLUSION OF CERTAIN EMBLEMS ON HEADSTONES AND MARKERS Furnished by the Secretary of Veterans Affairs.

(a) In General.—Section 2306 of title 38, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

"(i)(1) A headstone or marker furnished for a veteran under subsection (a), (b), or (d) may include—

"(A) an emblem of belief; or

"(B) an emblem from among a list of emblems that the Secretary of Defense, in coordination with the Secretary, shall establish.

"(2) The list established under paragraph (1)(C) shall include the following:

"(A) An emblem with respect to—

"(i) each unit at the level of separate brigade or division, and each equivalent unit in the Navy, Marine Corps, Air Force, and Coast Guard; and

"(ii) each skill or combat badge or tab earned by a member of the Armed Forces.

"(B) One or more emblems of the commissioned Regular Corps of the Public Health Service.

"(C) One or more emblems of the commissioned officer corps of the National Oceanic and Atmospheric Administration.

"(D) Such other emblems as the Secretary of Defense, in coordination with the Secretary, considers appropriate and practical, such as the Marine Corps emblem or Army Infantry insignia.

"(3) The Secretary of Defense shall provide the Secretary with a digitized representation of each emblem included in the list established under paragraph (1)(C).

(b) Establishment of List of Approved Emblems.—Not later than June 1, 2021, the Secretary of Veterans Affairs shall establish the list of approved emblems required by section 2306(i)(1)(C), as added by subsection (a), in accordance with such section.

(c) Availability of Approved Emblems.—Not later than October 1, 2021, the Secretary of Veterans Affairs shall make the emblems on the list of approved emblems required by section 2306(i)(1)(C), as added by subsection (a), available for inclusion on headstones and markers.

(d) Applicability.—The amendment made by subsection (a) shall apply with respect to headstones and markers furnished by the Secretary of Veterans Affairs after the date of the enactment of this Act.

SA 1855. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7. EXPEDITED HIRING BY DEPARTMENT OF VETERANS AFFAIRS OF MEDICAL DEPARTMENT PERSONNEL SEPARATING FROM THE ARMED FORCES.

(a) In General.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall conduct recruitment for covered medical personnel positions from among medical department personnel of the Department of Defense who hold medical specialties and are separating from the Armed Forces.

(b) Transition Assistance Program.—Recruitment shall be conducted under subsection (a) for separating members of the Armed Forces as part of the Transition Assistance Program conducted for such members.

(c) Elements of Recruitment.—

(1) In General.—The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall schedule regular briefing times for all medical department personnel of the Department of Defense who are separating from the Armed Forces to be briefed by a supervisor or technician from a human resources office of the Veterans Health Administration on—

(A) employment opportunities with the Department of Veterans Affairs throughout the United States;

(B) options for careers with the Department in a covered medical personnel position; and

(C) the expedited recruitment and hiring process under this section.

(2) One-on-One Appointments.—The supervisor or technician conducting the briefing under paragraph (1) shall—

(A) schedule a one-on-one appointment for each separating medical department personnel member who wishes to meet to review covered medical personnel positions that are available; and

(B) accept applications for such positions.

(3) Tentative Offer.—

(A) In General.—The supervisor or technician conducting the briefing under subsection (c)(1) shall—

(i) schedule a one-on-one appointment for each separating medical department personnel member who wishes to meet to review covered medical personnel positions that are available; and

(ii) accept applications for such positions.

(B) The supervisor or technician conducting the briefing under paragraph (A) to a member of the Armed Forces participating in the recruitment and hiring process under this section may be made during the period beginning on the date that is 90 days before the separation of the member from the Armed Forces and ending on the date that is 90 days after such separation.

(4) Final Offer.—After conducting the tentative offer process for an individual under paragraph (1), the supervisor or technician shall transmit information on and credentials for the individual to the medical facility at which the individual would be hired for final verification and interviews to complete the hiring process and possibly present a final offer.

(5) Conduct of Hiring Process.—Notwithstanding any other provision of law, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, may hire individuals under this section through direct, non-competitive, and other hiring processes as the Secretary considers appropriate to carry out this section.

(c) Guidance.—Promotion selection boards and personnel responsible for determinations of medical specialty availability shall place a priority and emphasis in the promotion of members of the Armed Forces for skills, training, and other matters specified in subsection (b) when compared with civilian education and matters not specified in that subsection.

(d) Specification of Skills, Training, and Other Matters.—The skills, training, and other matters specified in this subsection are the following:

(1) Billet-related skills.

(2) Billet-related training.

(3) Operational experience.

(4) Decoration and awards.

(e) Definitions.—In this section:

(1) Covered Medical Personnel Position.—The term "covered medical personnel position" means a personnel position at all grades within the Department of Veterans Affairs employed under—

(A) the General Schedule under chapter IV of such chapter;

(B) the prevailing rate system under subsection (a) of section 7425 of title 38, United States Code; or

(C) a hybrid authority.

(2) Transition Assistance Program.—The term "Transition Assistance Program" means the Transition Assistance Program under sections 112 and 114 of title 10, United States Code.

SA 1856. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 8. PRIORITY AND EMPHASIS IN PROMOTION OF MEMBERS OF THE ARMED FORCES; BILLET-RELATED SKILLS AND TRAINING, OPERATIONAL EXPERIENCE, AND DECORATION AND AWARD.

(a) Priority and Emphasis.—Commencing not later than 180 days after the date of the enactment of this Act, promotion selection boards, in the case of officers, and personnel responsible for determinations regarding promotions, in the case of other members, shall afford an enhanced priority and emphasis in the promotion of members of the Armed Forces for skills, training, and other matters specified in subsection (b) when compared with civilian education and matters not specified in that subsection.

(b) Specified Skills, Training, and Other Matters.—The skills, training, and other matters specified in this subsection are the following:

(1) Billet-related skills.

(2) Billet-related training.

(3) Operational experience.

(4) Decoration and awards.

(c) Guidance.—Promotion selection boards and personnel responsible for determinations of medical specialty availability shall place a priority and emphasis in the promotion of members of the Armed Forces for skills, training, and other matters specified in subsection (b) when compared with civilian education and matters not specified in that subsection.

SA 1857. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:
SEC. 1801. Definition.

"SUBCHAPTER I—ELIGIBLE DESCENDANTS OF VETERANS EXPOSED TO HERBICIDE AGENTS

(a) In General.—Chapter 18 of title 38, United States Code, is amended to read as follows:

"CHAPTER 18—BENEFITS FOR ELIGIBLE DESCENDANTS OF VETERANS EXPOSED TO HERBICIDE AGENTS

"Sec. 1801. Definition.

"Sec. 1802. Eligibility.

"Sec. 1803. Health care.

"Sec. 1804. Vocational training.

"Sec. 1805. Monetary allowance.

"Sec. 1806. Regulations.

"SUBCHAPTER III—ADMINISTRATION

"Sec. 1811. Determination of eligibility.

"Sec. 1812. Coordination for eligible descendants.

"Sec. 1813. Duration of health care benefits.

"Sec. 1814. Applications of certain administrative provisions.

"Sec. 1815. Treatment of receipt of monetary allowance and other benefits.

"Sec. 1816. Nonduplication of benefits.

"*1801. Definitions.

"(1) COVERED BIRTH DEFECT.—The term 'covered birth defect' means a birth defect identified by the Secretary under section 1822 of this title.

"(2) COVERED VETERAN.—The term 'covered veteran' means an individual who—

"(A) served in the active military, naval, or air service, without regard to the characterization of that service under section 1701 of title 38,

"(B) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service.

"(3) ELIGIBLE DESCENDANT.—The term 'eligible descendant' means—

"(A) for purposes of eligibility for health care and other benefits under subchapter I, an individual described in section 1801 of this title;

"(B) for purposes of eligibility for health care and other benefits under subchapter II, an individual described in section 1822(a) of this title.

"(4) FACILITY OF THE DEPARTMENT.—The term 'facility of the Department' has the meaning given the term ‘facilities of the Department’ in section 1701 of this title.

"(5) HOMICIDE AGENT.—The term 'homicide agent' means any chemical used in support of United States and allied military operations, as determined by the Secretary in consultation with the Secretary of Defense.

"SUBCHAPTER II—ELIGIBLE DESCENDANTS OF VETERANS EXPOSED TO HERBICIDE AGENTS BORN WITH SPINA BIFIDA

§1811. Eligibility.

"For purposes of this subchapter, an eligible descendant is an individual, regardless of age or marital status, who—

"(1)(A)(i) is the natural child of a covered veteran;

"(ii) was conceived after the date on which that veteran first was exposed to a herbicide agent during such service in the active military, naval, or air service; or

"(B) is the natural child of an individual described in subparagraph (A); and

"(2) was born with a birth defect or manifestation of spina bifida, except spina bifida occulta.

§1812. Health care.

"(a) IN GENERAL.—In accordance with regulations prescribed by the Secretary, the Secretary shall provide an eligible descendant with health care under this section—

"(1) through facilities of the Department; or

"(2) by contract or other arrangement with any health care provider, as coordinated by the care coordinator assigned under section 1804 of this title.

"(b) PROGRAM DESIGN.—Any program of health care for an eligible descendant under this section may not include—

"(1) health care that is not necessary to develop, maintain, or restore, to the maximum extent practicable, the functioning of a disabled person.

"(2) HABITUAL AND REHABILITATIVE CARE.—The term 'habitual and rehabilitative care' means such professional, counseling, and guidance services and treatment programs (other than vocational training described under section 1813 of this title) as are necessary to develop, maintain, or restore, to the maximum extent practicable, the functioning of a disabled person.

"(3) HEALTH CARE PROVIDER.—The term 'health care provider' includes specialized spina bifida clinics, health care plans, insurers, organizations, institutions, and any other entity or individual furnishing health care services that the Secretary determines are authorized under this section.

"(4) HOME CARE.—The term 'home care' means care and treatment for a disability furnished to an individual who has been admitted to a nursing home as a resident.

"(5) NURSING HOME CARE.—The term 'nursing home care' means care furnished to an individual other than in a hospital or nursing home care.

"(b) PROGRAM DESIGN.—Any program of vocational training for an eligible descendant under this section may not include—

"(1) any regulation or policy of the Department of Defense, military department, or other entity or individual furnishing health care services that the Secretary determines are necessary to provide effective and economical preventive health care.

"(2) RESpite CARE.—The term 'respite care' means care furnished on an intermittent basis for a limited period to an individual who resides primarily in a private residence when such care will help the individual to continue residing in such private residence.

§1813. Vocational training

"(a) AUTHORITY.—Pursuant to regulations prescribed by the Secretary, the Secretary may provide vocational training under this section to an eligible descendant if the Secretary determines that the achievement of a vocational goal by such descendant is reasonably feasible.

"(b) PROGRAM DESIGN.—Any program of vocational training for an eligible descendant under this section may not include—

"(1) health care that is not necessary to develop, maintain, or restore, to the maximum extent practicable, the functioning of a disabled person.

"(2) EXCLUSIONS.—A vocational training program under this section may not include the provision of any loan or subsistence allowance or any automobile adaptive equipment.
a vocational training program under this section may not exceed 24 months.

"(2) EXTENSIONS.—The Secretary may grant an extension of a vocational training program for an eligible descendant under this section for up to 24 additional months if the Secretary determines that the extension is necessary in order for the descendant to achieve his or her educational identification (before the end of the first 24 months of such program) in the written plan of vocational rehabilitation formulated for the descendant pursuant to subsection (d).

"(3) COMMENCEMENT.—A vocational training program under this section may begin on the eligible descendant’s 18th birthday, or on the sixtieth day after the completion of the descendant’s secondary schooling, whichever first occurs, except that, if the descendant is above the age of compulsory school attendance under applicable State law and the Secretary determines that the descendant’s best interests will be served thereby, the vocational training program may begin before the descendant’s 18th birthday.

"(e) RELATIONSHIP TO OTHER PROGRAMS.—

"(1) IN GENERAL.—An eligible descendant who is pursuing a program of vocational training in an education program and is also eligible for assistance under a program under chapter 35 of this title may not receive assistance under such programs concurrently. The descendant shall elect (in such form and manner as the Secretary may prescribe) the program under which the assistance is to be received.

"(2) AGGREGATE PERIOD.—The aggregate period for which an eligible descendant may receive assistance under section 35(d)(2)(B) of this title may not exceed 48 months (or the part-time equivalent thereof).

§1814. Monetary allowance

"(a) MONETARY ALLOWANCE.—The Secretary shall pay a monthly allowance to any eligible descendant under this section (a).

"(b) SCHEDULE FOR RATING OF DISABILITIES.—

"(1) IN GENERAL.—The amount of the allowance paid to an eligible descendant under this section shall be based on the degree of disability suffered by the descendant as determined in accordance with such schedule for rating disabilities resulting from spina bifida and related malformations for purposes of this section.

"(2) LEVELS OF DISABILITY.—The Secretary shall provide health care under this section—

"(3) COMMENCEMENT.—A vocational training program under this section shall be as follows:

1. The reference to ‘vocational training under section 1813 of this title’ in paragraph (3)(A)(ii) of subsection (d) of section 1812(c) of this title shall apply with respect to the provision of health care under this section, except that for purposes of this subparagraph (A) the amount of the monthly allowance paid to an eligible descendant shall be as follows:

- (i) In the case of an eligible descendant suffering from the lowest level of disability prescribed in the schedule for rating disabilities under subsection (b), $500.
- (ii) In the case of an eligible descendant suffering from the lowest intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), $750.
- (iii) In the case of an eligible descendant suffering from the highest intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), $1000.

2. The reference to ‘specialized spina bifida clinic’ in paragraph (3)(A)(ii) of section 1812(c) of this title shall apply with respect to the provision of health care under this section.

§1824. Vocational training

"(a) AUTHORITY.—The Secretary may provide a program of vocational training to an eligible descendant if the Secretary determines that the achievement of a vocational goal by the descendant is reasonable feasible.

"(b) APPLICABLE PROVISIONS.—Subsections (3)(B) and (4)(A) of section 1812(c) of this title shall apply with respect to any program of vocational training provided under subsection (a).

§1825. Monetary allowance

"(a) MONETARY ALLOWANCE.—The Secretary shall pay a monthly allowance to any eligible descendant for any disability resulting from the covered birth defects.

"(b) SCHEDULE FOR RATING OF DISABILITIES.—

- (i) In general.—The amount of the monthly allowance paid to an eligible descendant under this section shall be as follows:
- (A) In the case of an eligible descendant suffering from the lowest level of disability prescribed in the schedule for rating disabilities under subsection (b), $500.
- (B) In the case of an eligible descendant suffering from the lowest intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), $750.
- (C) In the case of an eligible descendant suffering from the highest intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), $1000.

"(c) AMOUNT OF MONTHLY ALLOWANCE.—The amount of the monthly allowance paid to an eligible descendant under this section shall be as follows:

- (i) In the case of an eligible descendant suffering from the lowest level of disability prescribed in the schedule for rating disabilities under subsection (b), $500.
- (ii) In the case of an eligible descendant suffering from the lowest intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), $750.
- (iii) In the case of an eligible descendant suffering from the highest intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), $1000.

"(d) INDEXING TO SOCIAL SECURITY BENEFIT INCREASES.—Amounts under paragraphs (1), (2)(A), (3)(A), and (4)(A) of subsection (c) shall be subject to adjustment from time to time under section 3301 of this title.

§1826. Regulations

"(a) NOTIFICATION.—Each director of a facility of the Department shall notify each covered veteran who seeks care to the facility of the health care and benefits available to eligible descendants under this chapter.

"(b) MEDICAL EVALUATION.—

- (1) IN GENERAL.—The Secretary shall ensure that each descendant of a covered veteran who seeks health care or benefits under this chapter receives a medical evaluation conducted at a facility of the Department.

"(2) DETERMINATION.—Each director of a facility at which a medical evaluation for a descendant conducted pursuant to paragraph (1) shall determine whether such descendant is eligible for health care or benefits under this chapter.
paragraph (2), the director shall assign to the eligible descendant a social worker or registered nurse employed by the Department at the facility to serve as the care coordinator for the descendant. 

"(2) ALTERNATE LOCATION.—If another facility of the Department is more geographically convenient for an eligible descendant than the facility at which the descendant received a medical evaluation under section 1831(b)(1), the director of such other facility shall assign to the descendant a social worker or registered nurse employed by the Department at the facility to serve as the care coordinator for the descendant. 

"(h) DUTIES.—

"(1) IN GENERAL.—A care coordinator assigned under subsection (a) shall ensure that each eligible descendant to which the care coordinator is assigned receives all health care, vocational training, and monetary compensation for which the descendant is eligible.

"(2) HOME MODIFICATIONS AND EQUIPMENT.—A care coordinator assigned under subsection (a) shall ensure that, for each eligible descendant to which the care coordinator is assigned—

"(A) any home modifications that the care coordinator determines are necessary, in consultation with the primary care provider and physical therapist of the descendant, are completed; and

"(B) any durable medical equipment that the care coordinator determines is required, in consultation with the primary care provider and physical therapist of the descendant, is provided.

"(3) HOME VISITS.—A care coordinator assigned under subsection (a) shall conduct not fewer than two home visits each year for each eligible descendant to which the care coordinator is assigned—

"(A) to evaluate the support and care being provided; and

"(B) to make improvements as needed.

"(4) AGREEMENTS WITH HEALTH CARE PROVIDERS.—

"(A) IN GENERAL.—A care coordinator assigned under subsection (a) shall ensure that each eligible descendant to which the care coordinator is assigned is connected with appropriate health care—

"(i) locating care from health care providers;

"(ii) by educating those providers about the health care and benefits provided to eligible descendants under this chapter; and

"(iii) gaining access to health care for the descendant from those providers.

"(B) HEALTH CARE INCLUDED.—Health care arranged under subparagraph (A)(iii) shall include in-home support as an eligible descendant may need for assistance in completing all activities of daily living.

"(5) ADMINISTRATIVE RESPONSIBILITIES.—

"(A) IN GENERAL.—A care coordinator assigned under subsection (a) shall ensure, with respect to each eligible descendant to which the care coordinator is assigned, any necessary authorization from payments to providers, and travel reimbursements are completed in a timely manner.

"(B) RESOLUTION OF ISSUES.—The care coordinator shall work with the eligible descendant and the office of the Department that administers health care and benefits under this chapter to resolve any issues relating to the matters described in subparagraph (A).

"(6) ASSIGNMENT OF FIDUCIARY.—If the Under Secretary for Benefits determines that a fiduciary is required for an eligible descendant for purposes of managing compensation provided under section 1814 or 1825 of this title, the care coordinator assigned to the descendant under subsection (a) shall ensure that the descendant has such a fiduciary.

"(c) LOCAL CONTRACT CARE COORDINATOR.—

"(1) IN GENERAL.—In the case of an eligible descendant who lives a significant driving distance from a facility of the Department, the care coordinator assigned to the descendant under subsection (a) may arrange for a local contract care coordinator to coordinate care for the descendant from sources other than a facility.

"(2) OVERSIGHT.—Each care coordinator who arranges for a local contract care coordinator under paragraph (1) shall oversee the contracting care coordinator, the care coordinator obtained through home visits required by subsection (6). 

"(d) PERFORMANCE AND EFFECTIVENESS.—Each director of a facility of the Department at which a care coordinator assigned under subsection (a) is located shall be responsible for the performance and effectiveness of the care coordinator.

§ 1833. Duration of health care and benefits provided

The Secretary shall provide a local contract care coordinator for the duration of the care coordinator.

§ 1834. Applicability of certain administrative provisions

(a) APPLICABILITY OF CERTAIN PROVISIONS RELATING TO ADMINISTRATION.—The provisions of this section specified in subsection (b) apply with respect to benefits and assistance under chapter II of this title.

"(2) SPECIFIED PROVISIONS.—The provisions of this title referred to in subsection (a) are the following:

"(1) Section 5101(c).

"(2) Subsections (a), (b)(3), (g), and (i) of section 5110.

"(3) Section 5111.

"(4) Subsections (a) and paragraphs (1), (6), (9), and (10) of subsection (b) of section 5112.

§ 1835. Treatment of receipt of monetary allowance and other benefits

(a) COORDINATION WITH OTHER BENEFITS PAID TO THE RECIPIENT.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe on, or otherwise affect the right of the individual to receive any other benefit to which the individual is otherwise entitled under any law administered by the Secretary.

"(b) COORDINATION WITH BENEFITS BASED ON RELATIONSHIP OF RECIPIENTS.—Notwithstanding any other provision of law, receipt by an individual of a monetary or other benefit paid to the recipient of the monetary allowance under this chapter shall not impair, infringe on, or otherwise affect the right of the individual to receive any other benefit to which such individual is entitled under any law administered by the Secretary based on the relationship of such individual to the recipient of such monetary allowance.

"(c) MONETARY ALLOWANCE NOT TO BE CONSIDERED AS INCOME OR RESOURCES FOR CERTAIN PURPOSES.—Notwithstanding any other provision of law, a monetary allowance paid to an individual under this chapter shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

§ 1836. Nonduplication of benefits

(a) MONETARY ALLOWANCE.—In the case of an eligible descendant under chapter II of this title whose only covered birth defect is spina bifida, a monetary allowance shall be paid under subchapter I of this chapter. In the case of an eligible descendant under subchapter II of this chapter who has spina bifida and one or more additional covered birth defects, a monetary allowance shall be paid under subchapter II of this chapter.

"(b) VOCATIONAL TRAINING.—An individual may only be provided one program of vocational training under this chapter.

"(c) CONFORMING AMENDMENTS.—Such title is further amended—

"(1) in section 5321, by striking "1806" both places it appears and insert "1865"; and

"(2) in section 1116(b)(6) by striking "the meaning given such term in section 1821(d) of this title" and inserting "a chemical in a herbicide used in support of United States and allied military operations in or near the Korean demilitarized zone, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on September 1, 1967, and ending on August 31, 1971".

SA 1859. Ms. WARREN (for herself, Ms. COLLINS, Mr. KING, Mr. DAINES, Mr. BROWN, Mr. CORNYN, Ms. HASSAN, Mr. CRAMER, Mr. MERKLEY, Ms. MCSALLY, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. JONES, Ms. KLOBUCHAR, Mr. BOOKER, Mr. BROWN, Ms. SMITH, Mr. MARKEY, Mr. HOEVEN, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; and

As follows:

At the end of subtitle F of title V, add the following:

SEC. 553. RECOGNITION AND HONORING OF SERVICE OF INDIVIDUALS WHO SERVED IN UNITED STATES CADET NURSE CORPS DURING WORLD WAR II.

(a) DETERMINATION OF ACTIVE MILITARY SERVICE.—

"(1) IN GENERAL.—The Secretary of Defense shall be deemed to have determined under paragraph (1) of subsection (b) of section 5312(a)(2) of the GI Bill Improvement Act of 1977 (Public Law 95-202; 38 U.S.C. 106 note) that the service of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1945, and ending on December 31, 1948, constitutes active military service.

"(2) ISSUANCE OF DISCHARGE.—Not later than one year after the date of the enactment of this Act, the Secretary shall, pursuant to subparagraph (b) of such section, issue to each member of such organization a discharge for service under honorable conditions where the nature and duration of the service of such member so warrants.

(b) BENEFITS.—

"(1) STATUS AS A VETERAN.—Except as otherwise provided in this subsection, an individual who receives a discharge under subsection (a) shall be considered as a veteran but shall not be entitled by reason of such service to any benefit under a law administered by the Secretary of Veterans Affairs.

"(2) BURIAL BENEFITS.—Service for which an individual receives a discharge under subsection (a)(2) shall be considered service in the armed forces for purposes of burial benefits as defined in section 101 of title 38, United States Code) for purposes of eligibility and
entitlement to benefits under chapters 23 and 24 of title 38, United States Code (other than section 2410 of that title).

(3) MEALS OR OTHER COMMENDATIONS.—The Secretary of Defense may design and produce a service medal or other commendation to honor individuals who receive a discharge under subsection (a)(2).

SA 1860. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4949, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 3. RESCISSION OF MEDALS OF HONOR AWARDED FOR ACTS AT WOUNDED KNEE.

(a) IN GENERAL.—Each Medal of Honor awarded for acts at Wounded Knee Creek, Lakota Pine Ridge Indian Reservation, South Dakota, on December 29, 1990, is rescinded.

(b) MEDAL OF HONOR ROLL.—The Secretary concerned shall remove the name of each individual assigned to the Medal of Honor roll for acts described in subsection (a) from the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll maintained under section 1134 of title 10, United States Code.

(c) RETURN OF MEDAL NOT REQUIRED.—No person may be required to return to the Federal Government a Medal of Honor rescinded under subsection (b).

(d) NO DENIAL OF BENEFITS.—This Act shall not be construed to deny any individual any benefit from the Federal Government.

SA 1861. Mr. REED (for himself and Mr. TESSE) submitted an amendment intended to be proposed by him to the bill S. 4949, to authorize appropriations for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 4. LEGAL ASSISTANCE FOR VETERANS AND SURVIVING SPOUSES AND DEPENDENTS.

(a) AVAILABILITY OF LEGAL ASSISTANCE AT FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(1) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following new section:

"§5006. Availability of legal assistance at Department facilities.

"(a) IN GENERAL.—Not less frequently than three times each year, the Secretary shall facilitate the provision by a qualified legal assistant to eligible individuals of legal assistance described in subsection (c) to eligible individuals at not fewer than one medical center of the Department of Veterans Affairs, or such other facility of the Department as the Secretary considers appropriate, in each State.

"(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, and an eligible individual is—

"(1) any veteran;

"(2) any surviving spouse; or

"(3) any child of a veteran who has died.

"(c) PRO BONO LEGAL ASSISTANCE DESCRIBED.—The pro bono legal assistance described in this subsection is the following:

"(1) Legal assistance with any program administered by the Secretary;

"(2) Legal assistance associated with—

"(A) improving the status of a military discharge or characterization of service in the Armed Forces, including through a discharge review board; or

"(B) seeking a review of a military record before a board of correction for military or naval records;

"(3) Such other legal assistance as the Secretary—

"(A) considers appropriate; and

"(B) determines may be needed by eligible individuals.

"(d) LIMITATION ON USE OF FACILITIES.—Space in a medical center or facility designated under subsection (a) shall be reserved for and may only be used by the following, subject to review and removal from participation by the Secretary:

"(1) A veterans service organization or other nonprofit organization.

"(2) A legal assistance clinic associated with an accredited law school.

"(3) A legal services organization.

"(4) A bar association.

"(5) Such other attorneys and entities as the Secretary considers appropriate.

"(e) LEGAL SERVICES IN RURAL AREAS.—In carrying out this section, the Secretary shall ensure that pro bono legal assistance is provided under subsection (a) in rural areas.

"(f) DEFINITION OF VETERANS SERVICE ORGANIZATIONS.—"Veterans service organization" means any organization recognized by the Secretary for the representation of veterans under section 5902 of this title.

"(g) CLERICAL AMENDMENT.—The table of contents of this Act shall be amended by adding at the end the following new item:

"9006. Availability of legal assistance at Department facilities."

(b) PILOT PROGRAM TO ESTABLISH AND SUPPORT LEGAL ASSISTANCE CLINICS.

(1) PILOT PROGRAM REQUIRED.—

"(A) IN GENERAL.—Not less frequently than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to establish new legal assistance clinics, or enhance existing legal assistance clinics or other pro bono efforts, for the provision of pro bono legal assistance described in subsection (c) of section 5006 of title 38, United States Code, by added subsection (a), on a year-round basis to individuals who served in the Armed Forces, including individuals who served in a reserve component of the Armed Forces, and who were discharged or released therefrom, regardless of the conditions of such discharge or release, at locations other than medical centers and facilities described in subsection (a) of such section.

"(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to limit or affect—

"(i) the provision of pro bono legal assistance to eligible individuals at medical centers and facilities of the Department of Veterans Affairs under section 5006(a) of title 38, United States Code, as added by subsection (a); or

"(ii) any other legal assistance provided pro bono at medical centers or facilities of the Department as of the date of the enactment of this Act.

"(C) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is—

"(A) a veterans service organization or other nonprofit organization specifically focused on assisting veterans;

"(B) an entity specifically focused on assisting veterans and associated with an accredited law school;

"(C) a legal services organization or bar association; or

"(D) such other type of entity as the Secretary considers appropriate for purposes of the pilot program.

"(2) LOCATIONS.—The Secretary shall carry out the pilot program during the five-year period beginning on the date on which the Secretary establishes the pilot program.

"(3) PILOT PROGRAM TO ESTABLISH AND SUPPORT LEGAL ASSISTANCE CLINICS.—

"(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the status of the implementation of this section.

"(B) DEFINITIONS.—In this section:

"(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—
SA 1862. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection D of title X of division A, add the following:

SEC. 1035. ANTI-MONEY LAUNDERING AND COMBATING THE FINANCING OF TERRORISM.—

(a) IN GENERAL.—The Secretary of the Treasury, in cooperation with the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and the head of any other relevant Federal department or agency shall—

(1) develop United States Government-wide indicators—

(A) to more systematically assess the impact of and improve anti-money laundering and combating the financing of terrorism assistance and capacity-building efforts with foreign allies and partners;

(B) to improve internal government coordination across relevant Federal departments and agencies; and

(C) to assess and improve coordination and cooperation with allies and partners regarding anti-money laundering and combating the financing of terrorism efforts; and

(2) identify any additional authorities or resources required to carry out paragraph (a)(1); and

(b) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in coordination with the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and appropriate departments and agencies, shall submit a plan for carrying out subsection (a) to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Select Committee on Intelligence of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, and the Select Committee on Intelligence of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on the Judiciary of the House of Representatives.

(c) REPORT.—The Secretary of the Treasury, the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and the heads of other appropriate Federal departments and agencies shall submit to the Secretary of the Treasury, the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and the heads of other appropriate Federal departments and agencies a report on the status of implementation of the plan required by subsection (b) to the Committees on Banking, Housing, and Urban Affairs of the Senate and the House of Representatives, respectively.

SA 1864. Mr. REED (for himself, Mr. TESTER, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1037. ENHANCEMENTS TO PROTECTIONS ACCORDED SERVICEMEMBERS WITH RESPECT TO RESIDENTIAL LEASES.—

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. 3955) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking “or” at the end;

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

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

“(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery of written notice of termination, and a letter from the service member’s commanding officer indicating that the service member has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor’s grantees), or to the lessor’s agent (or the agent’s grantees); and”;

(b) DEFINITION OF MILITARY ORDERS, CONTINGENT UNITED STATES, AND PERMANENT CHANGE OF STATION FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1), (2), and (3) of section 305(i) (50 U.S.C. 3955(i)) to the end of section 101 (50 U.S.C. 3991) and redesignating such paragraphs, as so transferred, as paragraphs (10), (11), and (12), respectively.

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 306 (50 U.S.C. 3955s), as amended by paragraph (1), by striking subsection (i); and

(B) in section 706 (50 U.S.C. 4025), by striking “or naval” both places it appears.

SA 1865. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1038. ENHANCEMENTS TO PROTECTIONS ACCORDED SERVICEMEMBERS WITH RESPECT TO RESIDENTIAL LEASES.—

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. 3955) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking “or” at the end;

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

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

“(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery of written notice of termination, and a letter from the service member’s commanding officer indicating that the service member has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.”;

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting “in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection,” before “by delivery”;

(ii) by striking “and” at the end; (B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

“(B) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery of written notice of termination, and a letter from the service member’s commanding officer indicating that the service member has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessee’s grantees), or to the lessor’s agent (or the agent’s grantees); and”;

(b) DEFINITION OF MILITARY ORDERS, CONTINGENT UNITED STATES, AND PERMANENT CHANGE OF STATION FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1), (2), and (3) of section 306(i) (50 U.S.C. 3955(i)) to the end of section 101 (50 U.S.C. 3991) and redesignating such paragraphs, as so transferred, as paragraphs (10), (11), and (12), respectively.

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 306 (50 U.S.C. 3955s), as amended by paragraph (1), by striking subsection (i); and

(B) in section 706 (50 U.S.C. 4025), by striking “or naval” both places it appears.
(1) ESTABLISHMENT OF MEASURES.—The Secretary of the Treasury, in consultation with relevant Federal departments and agencies, shall conduct an impact assessment, based on the measures established pursuant to paragraph (1), that—
(A) measures the effectiveness of information sharing among foreign allies and partners to improve the effectiveness of the public identifications of foreign persons subject to sanctions under subsection (b); and
(B) analyzes efforts to enhance partner capacity to implement this chapter; and
(C) includes recommendations on how to improve the effectiveness of the sanctions pursuant to this chapter.

(2) ASSESSMENTS.—Not later than 2 years after the date of the enactment of this subsection, the Secretary of the Treasury shall conduct an impact assessment, based on the measures established pursuant to paragraph (1), that—

(A) measures the effectiveness of information sharing among foreign allies and partners to improve the effectiveness of the public identifications of foreign persons subject to sanctions under subsection (b); and

(B) analyzes efforts to enhance partner capacity to implement this chapter; and

(C) includes recommendations on how to improve the effectiveness of the sanctions pursuant to this chapter.

SA 1866. Mr. REED (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. INFORMATION LITERACY COMMISSION. (a) Establishment of Information Literacy Commission.—

(b) Definitions.—In this section—

(1) The term "Co-Chairs" means the Co-Chairs of the Commission;

(2) the term "Commission" means the Information Literacy Commission established under subsection (A); and

(c) the term "information literacy" means the set of skills needed to find, retrieve, understand, evaluate, analyze, and effectively use information in the context of spoken and broadcast words and videos, printed materials, and digital content, data, and images.

(d) Establishment.—There is established a commission to be known as the "Information Literacy Commission".

(e) Purpose.—The Commission shall serve to improve information literacy education and tools, which may not be fully integrated or taught in schools, the workplace, and other aspects of life; and

(f) Duties.—

(A) The Commission shall take actions as it determines necessary to promote and increase access to information literacy education and tools, including to—

(1) coordinate information literacy efforts at the State and local level, including promoting partnerships among Federal, State, local, and Tribal governments, military service organizations, veteran service organizations, nonprofits, and private entities; and

(B) develop and implement national strategies to promote information literacy that would utilize the partnerships described in paragraph (1), as appropriate, and provide for—

(1) the development of methods to increase information literacy;

(2) the enhancement of the general understanding of information literacy; and

(3) the review of Federal activities designed to promote information literacy and development of a plan to improve coordination of such activities.

(f) Report.—

(A) In general.—Not later than 18 months after the date of the first meeting of the Commission, and annually thereafter, the Commission shall submit a report on strategies for assuring information literacy to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the progress of the Commission in carrying out this section.

(B) Information concerning the implementation of the duties of the Commission under subsection (a) shall include—

(1) a description of the activities of the Commission in implementing the targeted
national strategies developed under subsection (h); (C) an assessment of the availability, utilization, and impact of Federal information literacy materials developed under subsection (f); (D) information concerning the content and public use of— (i) the website established under subsection (c)(5)(A)(i); and (ii) the toolkits established under subsection (f)(3)(A)(i); (E) a brief survey of the information literacy materials developed under subsection (g), and data regarding the dissemination and impact of such materials; (F) a brief summary of any hearings conducted by the Commission, including a list of witnesses who testified at such hearings; (G) information about the activities of the Commission planned for the next fiscal year; (H) a summary of all information literacy activities targeted to underserved communities; and (i) such other material relating to the duties of the Commission as the Commission determines appropriate.

(3) INITIAL REPORT.—The initial report under paragraph (1) shall include information about Federal programs, materials, and grants which seek to improve information literacy, and assess the effectiveness of such programs.

(4) Research for the Commission.— (A) HEARINGS.— (i) IN GENERAL.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems appropriate to carry out this section. (ii) PARTICIPATION.—In hearings held under this subsection, the Commission shall consider inviting witnesses from, among other groups— (I) other Federal Government officials; (II) State, local, and Tribal government officials; (iii) military service organizations; (iv) veteran service organizations; (v) information literacy experts, including librarians, educators, and behavioral and data scientists; (vi) consumer and community groups; and (vii) other interested persons.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as is necessary to carry out its functions.

(3) PERIODIC STUDIES.—The Commission may conduct periodic studies regarding the state of information literacy in the United States, as the Commission determines appropriate.

(4) MULTILINGUAL.—The Commission may take any action to develop and promote information literacy and education materials in languages other than English, as the Commission determines appropriate.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as is necessary to carry out its functions.

(3) PERIODIC STUDIES.—The Commission may conduct periodic studies regarding the state of information literacy in the United States, as the Commission determines appropriate.

(4) MULTILINGUAL.—The Commission may take any action to develop and promote information literacy and education materials in languages other than English, as the Commission determines appropriate, including for the website established under subsection (f)(3)(A)(i), the toolkits established under subsection (f)(3)(A)(i), and the materials developed and disseminated under subsection (g).

(5) ARRANGEMENTS.—The Commission may enter into arrangements, including interagency agreements, grants, contracts, and cooperative agreements with entities that developed and disseminated under subsection (f)(3)(A)(i); and the materials developed and disseminated under subsection (g).

(6) COMPENSATION OF MEMBERS.—Each member of the Commission shall serve without compensation for their service as an officer or employee of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized by employees of agencies under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) ASSIGNMENTS.— (A) IN GENERAL.—The Department of Defense shall provide assistance to the Commission, upon request of the Commission, without reimbursement, to (i) identify and disseminate, and (ii) organize, secretaries to the Commission, without reimbursement, to— (I) develop and disseminate materials developed under subsection (f)(3)(A)(i); (E) a brief survey of the information literacy materials developed under subsection (g), and data regarding the dissemination and impact of such materials; (F) a brief summary of any hearings conducted by the Commission, including a list of witnesses who testified at such hearings; (G) information about the activities of the Commission planned for the next fiscal year; (H) a summary of all information literacy activities targeted to underserved communities; and (i) such other material relating to the duties of the Commission as the Commission determines appropriate.

(3) INITIAL REPORT.—The initial report under paragraph (1) shall include information about Federal programs, materials, and grants which seek to improve information literacy, and assess the effectiveness of such programs.

(4) Research for the Commission.— (A) HEARINGS.— (i) IN GENERAL.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems appropriate to carry out this section. (ii) PARTICIPATION.—In hearings held under this subsection, the Commission shall consider inviting witnesses from, among other groups— (I) other Federal Government officials; (II) State, local, and Tribal government officials; (III) military service organizations; (IV) veteran service organizations; (V) information literacy experts, including librarians, educators, and behavioral and data scientists; (VI) consumer and community groups; and (VII) other interested persons.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as is necessary to carry out its functions.

(3) PERIODIC STUDIES.—The Commission may conduct periodic studies regarding the state of information literacy in the United States, as the Commission determines appropriate.

(4) MULTILINGUAL.—The Commission may take any action to develop and promote information literacy and education materials in languages other than English, as the Commission determines appropriate, including for the website established under subsection (f)(3)(A)(i), the toolkits established under subsection (f)(3)(A)(i), and the materials developed and disseminated under subsection (g).

(5) ARRANGEMENTS.—The Commission may enter into arrangements, including interagency agreements, grants, contracts, and cooperative agreements with entities that received for their service as an officer or employee of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) ASSIGNMENTS.— (A) IN GENERAL.—The Department of Defense shall provide assistance to the Commission, upon request of the Commission, without reimbursement, to (i) identify and disseminate, and (ii) organize, secretaries to the Commission, without reimbursement, to— (I) develop and disseminate materials developed under subsection (f)(3)(A)(i); (E) a brief survey of the information literacy materials developed under subsection (g), and data regarding the dissemination and impact of such materials; (F) a brief summary of any hearings conducted by the Commission, including a list of witnesses who testified at such hearings; (G) information about the activities of the Commission planned for the next fiscal year; (H) a summary of all information literacy activities targeted to underserved communities; and (i) such other material relating to the duties of the Commission as the Commission determines appropriate.

(3) INITIAL REPORT.—The initial report under paragraph (1) shall include information about Federal programs, materials, and grants which seek to improve information literacy, and assess the effectiveness of such programs.

(4) Research for the Commission.— (A) HEARINGS.— (i) IN GENERAL.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems appropriate to carry out this section. (ii) PARTICIPATION.—In hearings held under this subsection, the Commission shall consider inviting witnesses from, among other groups— (I) other Federal Government officials; (II) State, local, and Tribal government officials; (III) military service organizations; (IV) veteran service organizations; (V) information literacy experts, including librarians, educators, and behavioral and data scientists; (VI) consumer and community groups; and (VII) other interested persons.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as is necessary to carry out its functions.

(3) PERIODIC STUDIES.—The Commission may conduct periodic studies regarding the state of information literacy in the United States, as the Commission determines appropriate.

(4) MULTILINGUAL.—The Commission may take any action to develop and promote information literacy and education materials in languages other than English, as the Commission determines appropriate, including for the website established under subsection (f)(3)(A)(i), the toolkits established under subsection (f)(3)(A)(i), and the materials developed and disseminated under subsection (g).

(5) ARRANGEMENTS.—The Commission may enter into arrangements, including interagency agreements, grants, contracts, and cooperative agreements with entities that received for their service as an officer or employee of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) ASSIGNMENTS.— (A) IN GENERAL.—The Department of Defense shall provide assistance to the Commission, upon request of the Commission, without reimbursement, to (i) identify and disseminate, and (ii) organize, secretaries to the Commission, without reimbursement, to— (I) develop and disseminate materials developed under subsection (f)(3)(A)(i); (E) a brief survey of the information literacy materials developed under subsection (g), and data regarding the dissemination and impact of such materials; (F) a brief summary of any hearings conducted by the Commission, including a list of witnesses who testified at such hearings; (G) information about the activities of the Commission planned for the next fiscal year; (H) a summary of all information literacy activities targeted to underserved communities; and (i) such other material relating to the duties of the Commission as the Commission determines appropriate.

(3) INITIAL REPORT.—The initial report under paragraph (1) shall include information about Federal programs, materials, and grants which seek to improve information literacy, and assess the effectiveness of such programs.

(4) Research for the Commission.— (A) HEARINGS.— (i) IN GENERAL.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems appropriate to carry out this section. (ii) PARTICIPATION.—In hearings held under this subsection, the Commission shall consider inviting witnesses from, among other groups— (I) other Federal Government officials; (II) State, local, and Tribal government officials; (iii) military service organizations; (iv) veteran service organizations; (v) information literacy experts, including librarians, educators, and behavioral and data scientists; (vi) consumer and community groups; and (vii) other interested persons.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as is necessary to carry out its functions.

(3) PERIODIC STUDIES.—The Commission may conduct periodic studies regarding the state of information literacy in the United States, as the Commission determines appropriate.

(4) MULTILINGUAL.—The Commission may take any action to develop and promote information literacy and education materials in languages other than English, as the Commission determines appropriate, including for the website established under subsection (f)(3)(A)(i), the toolkits established under subsection (f)(3)(A)(i), and the materials developed and disseminated under subsection (g).

(5) ARRANGEMENTS.—The Commission may enter into arrangements, including interagency agreements, grants, contracts, and cooperative agreements with entities that received for their service as an officer or employee of the United States.
paragraphe (C) in the areas of applied energy research, environmental management, and basic science described in clause (i), including—

(II) support research that is carried out in partnership with the National Laboratories;

(II) to provide for graduate traineeships;

(II) to support research by early career faculty; and

(IV) to improve research capabilities through biennial research implementation grants.

(iii) NO COST SHARING.—EPSCoR shall not impose any cost-sharing requirement with respect to a grant made under this subparagraph.

(iv) REPORT.—The Secretary shall submit to the Committees on Energy and Commerce and Appropriations of the House of Representatives a plan describing how the Secretary shall implement EPSCoR.

(v) CONTENTS OF PLAN.—The plan described in clause (i) shall include a description of—

(I) the management structure of EPSCoR, which shall ensure that all research areas and activities described in this paragraph are incorporated into EPSCoR;

(II) efforts to conduct outreach to inform eligible jurisdictions and faculty of opportunities under EPSCoR;

(III) how EPSCoR plans to increase engagement with eligible jurisdictions, faculty, and State committees, including by holding regular workshops, to increase participation in EPSCoR; and

(IV) any other issues relating to EPSCoR that the Secretary determines appropriate.

(b) PROGRAM EVALUATION.—

(i) IN GENERAL.—Not later than 5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a report describing the results of the assessment carried out under clause (i), including recommendations for improving EPSCoR that would enable the Secretary to achieve the objectives described in subparagraph (C)."

SA 1868. Mr. REED (for himself, Ms. COLLINS, Mr. JONES, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for the defense of relations with the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 14C. CYBERSECURITY TRANSPARENCY.

(a) DEFINITIONS.—In this section—

(1) the term ‘cybersecurity’ means any action, step, or measure to detect, prevent, deter, mitigate, or address any cybersecurity threat or any potential cybersecurity threat;

(2) the term ‘cybersecurity threat’ means any threat, act, or activity that may result in an unauthorized access, use, disclosure, disruption, corruption, or modification of information or of a system that may result in an unauthorized access, use, disclosure, disruption, corruption, or modification of information or of an information system or information that is stored on, processed by, or transmitted through an information system; and

(3) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

(4) ‘NIST’ means the National Institute of Standards and Technology; and

(b) REQUIREMENTS TO ISSUE RULES.—Not later than 360 days after the date of enactment of this section, the Commission shall issue final rules to require each reporting company, in the annual report of the reporting company submitted under section 13 or section 15(d) or in the annual proxy statement of the reporting company submitted under section 14(a)—

(1) to disclose whether any member of the governing body, such as the board of directors, associations, or similar entities, has expertise or experience in cybersecurity and in such detail as necessary to fully describe the nature of the expertise or experience; and

(2) if no member of the governing body of the reporting company has expertise or experience in cybersecurity, to describe what other aspects of the company’s cybersecurity were taken into account by any person, such as an official serving on a nominating committee, that is responsible for identifying candidates for membership to the governing body.

(c) CYBERSECURITY EXPERTISE OR EXPERIENCE.—For purposes of subsection (b), the Commission shall define what constitutes expertise or experience in cybersecurity using commonly defined roles, specialties, knowledge, skills, and abilities, such as those provided in NIST Special Publication 800-181, entitled ‘National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework,’ or any successor thereto.

SA 1869. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for the defense of relations with the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1. INDEPENDENT STUDY ON IDENTIFYING AND ADDRESSING THREATS INDIVIDUALLY OR COLLECTIVELY AFFECT NATIONAL SECURITY, FINANCIAL SECURITY, OR BOTH.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Treasury in the Secretary’s capacity as the Chair of the Financial Stability Oversight Council and the heads of other relevant departments and agencies, shall enter into a contract with a federal research and development center under which the center will conduct a study on identifying and addressing threats that individually or collectively affect national security, financial security, or both.

(b) ELEMENTS OF STUDY.—In carrying out the study referred to in subsection (a), the selected Federally funded research and development center shall be contractually obliged to—

(1) identify threats that individually or collectively affect national security, financial security, or both, including—

(A) foreign entities and governments acquiring financial interests in domestic companies that have access to critical or sensitive national security materials, technologies, or information;

(B) other currencies being used in lieu of the United States Dollar in international transactions;

(C) influence in companies seeking to access capital markets by conducting initial public offerings in other countries;

(D) the use of financial instruments, market, payment systems, or digital assets in ways that appear legitimate but may be part of a foreign malign strategy to weaken or undermine the economic security of the United States;

(E) the use of entities, such as corporations, companies, limited liability companies, limited partnerships, business trusts, limited liability partnerships, limited partnerships, or other similar entities, to obscure or hide the foreign beneficial owner of such entities; and

(F) any other known or potential threats that individually or collectively affect national security, financial security, or both currently or in the foreseeable future.

(2) assess the extent to which the United States Government is currently able to identify and characterize the threats identified under paragraph (1);

(3) assess the extent to which the United States Government is currently able to identify and characterize the threats identified under paragraph (1);

(4) assess whether current levels of information sharing and coordination between the United States Government and allies and partners has been helpful or can be improved.
SA 1870. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows.

At the appropriate place, insert the following:

SEC. 602. ADDITIONAL FUNDING FOR CORONAVIRUS RELIEF FOR STATES, TRIBAL GOVERNMENTS, AND LOCAL COMMUNITIES.

(a) STATE & LOCAL EMERGENCY STABILIZATION FUND.—Title VI of the Social Security Act (42 U.S.C. 501 et seq.) is amended by adding at the end the following:

SEC. 602. ADDITIONAL FUNDING FOR CORONAVIRUS RELIEF FOR STATES, TRIBAL GOVERNMENTS, AND LOCAL COMMUNITIES.

(a) APPROPRIATION.—

(1) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for making payments under this section to States, Tribal governments, and local communities described in subsection (c)(6), $600,000,000,000 for fiscal year 2020.

(2) DISTRIBUTION.—For purposes of paragraph (1), the amount appropriated under this paragraph and paid in accordance with this section shall be in addition to the amount appropriated under subsection (a) of section 106(d)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) that is reserved under paragraph (5) for such fiscal year.

(b) AMOUNT.—For purposes of subsection (a)(2), the amount reserved under this section for such fiscal year is the product of—

(1) the population of the State, the District of Columbia, or the Commonwealth of Puerto Rico, determined under subsection (a)(1) for fiscal year 2020; and

(2) the quotient of—

(A) the population of the unit of general local government that is part of such State, the District of Columbia, or the Commonwealth of Puerto Rico, determined under this subsection; and

(B) the sum of the populations of each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, for fiscal year 2020.

(c) PRO RATA ADJUSTMENTS.—If two or more units of general local government have overlapping populations or that are part of such consolidated government that is part of such consolidated government; in amounts equal to the relative populations of such units of general local government as a proportion of the payment amount determined for such fiscal year for each of such units of general local government, in each such State as a proportion of the total payment amount for such State determined for such fiscal year.

(d) RESERVATION OF FUNDS.—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

(1) $3,000,000,000 of such amount for making payments to States, the District of Columbia, and the Commonwealth of Puerto Rico; and

(2) $10,000,000,000 of such amount for making payments to United States territories.

(3) PAYMENT AMOUNTS.—

(A) IN GENERAL.—Subject to paragraph (2), the amount paid under this section for such fiscal year is the product of—

(1) the amount reserved under subsection (a)(1) for such fiscal year; and

(2) the quotient of—

(B) the relative population proportion amount determined for the State under paragraph (4) for such fiscal year.

(B) THE RELATIVE POPULATION PROPORTION AMOUNT.—For purposes of paragraph (4)(A), the relative population proportion amount determined for the State for fiscal year 2020 is the product of—

(1) the population of the State, the District of Columbia, or the Commonwealth of Puerto Rico, determined under this subsection; and

(2) the quotient of—

(A) the population of the unit of general local government that is part of such State, the District of Columbia, or the Commonwealth of Puerto Rico, determined under this subsection; and

(B) the sum of the populations of each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, for fiscal year 2020.

(c) TREATMENT OF STATES NOT ACTING AS PASS-THROUGH AGENTS UNDER CDBG.—In the case of a State that has not elected to distribute amounts allocated under section 106(d)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) that is reserved under paragraph (5) for such fiscal year 2019, pursuant to the same formula used to make such allocations under that section for such fiscal year; and

(1) the amount reserved under subsection (a)(2)(D), the Secretary shall reserve—

(A) the amount reserved under subsection (a)(2)(D), the Secretary shall reserve—

(i) the coronavirus infection rate determined for each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico; and

(ii) the sum of the coronavirus infection rate determined for each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(2) PAYMENTS TO LOCAL COMMUNITIES.—

(A) IN GENERAL.—From the amount reserved under subsection (a)(2)(D), the Secretary shall pay:

(B) the quotient of—

(i) the coronavirus infection rate determined for each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico (as applicable); and
to units of general local government in non-entitlement areas in that State under subparagraph (A)(ii).

(7) PAYMENTS TO TERRITORIES.—The amount provided under subsection (a)(2)(A) and (B) each such territory’s share of the combined total population of all such territories, as determined by the Secretary.

(8) PAYMENTS TO TRIBAL GOVERNMENTS.—The amounts provided under this section to Tribal governments shall be determined in the same manner as the amounts paid to Tribal governments under section 601(c)(7).''.

9. DATA.—For purposes of determining—

(A) the population of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and units of general local government, the Secretary shall use the most recent daily updated data on the number of COVID-19 cases published on the internet by the Centers for Disease Control and Prevention.

(d) Other Provisions.—

(1) In general.—The amounts paid under this section shall be subject to—

(A) oversight and recoupment requirements of subsections (d) and (f) of section 601 in the same manner as such requirements apply to the amounts paid under this section;

(B) the definitions of each paragraph of section 601(g) other than paragraph (2) of that section.

(b) Additional Authority to Use Payments to Make Up Revenue Shortfalls.—Effective as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (15 U.S.C. 6301 et seq.), the Secretary shall use the amount appropriated under that section to—

(d) Use of Funds.—

(1) In general.—A State, Tribal government, or unit of local government may use the funds provided under a payment made under this section to—

(2) DIRECT APPROPRIATIONS FOR TECHNICAL ASSISTANCE FOR SMALL BUSINESS CONCERNS.—Out of amounts in the Treasury not otherwise appropriated, there is appropriated to the Small Business Administration $3,400,000, to remain available until expended, for additional financial assistance authorized under section 7 of the Small Business Act (15 U.S.C. 636(m)) for projects providing technical or management assistance, with special attention to small business concerns as defined in section 3 of the Small Business Act (15 U.S.C. 632) located in areas of high concentration of unemployed or low-income individuals.

SA 1874. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 9. TEMPORARY EXTENSION FOR 8(A) PARTICIPANTS.

During the period beginning on the date of enactment of this Act and ending on September 30, 2021, the Administrator of the Small Business Administration may waive the requirements under section 8(a)(7)(A) of the Small Business Act (15 U.S.C. 657a(7)(A)) (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) participating in the program under such section 8(a) to attain targeted dollar levels of revenue outside of the program.

SA 1872. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 10. INCREASE IN TOTAL SOLE-SOURCE CONTRACT VALUES.

(a) Qualified Small Business Concerns.—Section 31(a)(2)(A) of the Small Business Act (15 U.S.C. 657a(c)(2)(A)(ii)) is amended—

2. INCREASE IN TOTAL SOLE-SOURCE CONTRACT VALUES.


(b) Additional Authority to Use Payments to Make Up Revenue Shortfalls.—Effective as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (15 U.S.C. 6301 et seq.), the Secretary shall use the amount appropriated under that section to—

(c) Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals.—Section 8(a)(1)(D)(i)(II) of the Small Business Act (15 U.S.C. 657a(1)(D)(i)(II)) is amended—

3. INCREASE IN TOTAL SOLE-SOURCE CONTRACT VALUES.

(b) in clause (ii), by striking $3,000,000 and inserting $8,000,000.

(c) in clause (iii), by striking $5,000,000 and inserting $10,000,000.

(d) in clause (iv), by striking $3,000,000 and inserting $8,000,000.

(e) in clause (v), by striking $10,000,000,000 and inserting $12,000,000,000.

(f) in clause (vi), by striking $5,000,000 and inserting $10,000,000.

(g) in clause (vii), by striking $3,000,000 and inserting $8,000,000.

(h) in clause (viii), by striking $10,000,000 and inserting $12,000,000.

(i) in clause (ix), by striking $5,000,000 and inserting $10,000,000.

(j) in clause (x), by striking $3,000,000 and inserting $8,000,000.

(k) in clause (xi), by striking $10,000,000,000 and inserting $12,000,000,000.

(l) in clause (xii), by striking $5,000,000 and inserting $10,000,000.

(m) in clause (xiii), by striking $3,000,000 and inserting $8,000,000.

(n) in clause (xiv), by striking $10,000,000 and inserting $12,000,000.

(o) in clause (xv), by striking $5,000,000 and inserting $10,000,000.

(p) in clause (xvi), by striking $3,000,000 and inserting $8,000,000.

(q) in clause (xvii), by striking $10,000,000,000 and inserting $12,000,000,000.

(r) in clause (xviii), by striking $5,000,000 and inserting $10,000,000.

(s) in clause (xix), by striking $3,000,000 and inserting $8,000,000.

(t) in clause (xx), by striking $10,000,000 and inserting $12,000,000.

(2) by striking $3,000,000 and inserting $8,000,000.

2. INCREASE IN TOTAL SOLE-SOURCE CONTRACT VALUES.


(b) in paragraph (7)—

(A) in clause (i), by striking $6,500,000 and inserting $10,000,000; and

(B) in clause (ii), by striking $5,500,000 and inserting $9,000,000; and

(b) in paragraph (8)—

(A) in clause (i), by striking $6,500,000 and inserting $10,000,000; and

(B) in clause (ii), by striking $5,500,000 and inserting $9,000,000; and

(b) in paragraph (9)—

(A) in clause (i), by striking $6,500,000 and inserting $10,000,000; and

(B) in clause (ii), by striking $5,500,000 and inserting $9,000,000; and

3. INCREASE IN TOTAL SOLE-SOURCE CONTRACT VALUES.
SEC. 10. AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.

(a) In General.—The Fallen Journalists Memorial Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate America’s commitment to a free press as represented by journalists who sacrificed their lives in their line of work.

(b) Standards for Commemorative Works.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

(c) Prohibition on Use of Federal Funds.—

(1) In General.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) Responsibility of the Fallen Journalists Memorial Foundation.—The Fallen Journalists Memorial Foundation shall be solely responsible for the acquisition of contributions for, and the payment of the expenses of, the establishment of the commemorative work under this section.

(d) Deposit of Excess Funds.—

(1) In General.—If upon payment of all expenses for the establishment of the commemorative work there remains a balance of funds received for the establishment of the commemorative work, the Fallen Journalists Memorial Foundation shall transmit the amount of the balance to the Secretary of the Treasury, as provided for in section 8906(b)(3) of title 40, United States Code.

(2) On Expiration of Authority.—If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Fallen Journalists Memorial Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for use in carrying out the purposes of the commemorative work established by the President of the United States.

(e) Implementation; Penalties.

(1) Implementation.—The President may exercise the authorities provided to him to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(2) Penalties.—A person that violates this section, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any penalty, license, or order issued to carry out this section, shall be subject to the penalties set forth in subsections (b) and (c) of section 205 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

SEC. 11. IMPOSITION OF SANCTIONS WITH RESPECT TO ECONOMIC OR INDUSTRIAL ESPIONAGE BY FOREIGN TELECOMMUNICATIONS COMPANIES.

(a) In General.—On and after the date that is 30 days after the date of enactment of this Act, the President shall exercise all powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to carry out this section.

(b) Responsibilities.—

(1) Definitions.—The term “economic or industrial espionage” means—

(i) stealing a trade secret or proprietary information or appropriating, taking, carrying away, or concealing, or by fraud, artifice, or deception obtaining, a trade secret or proprietary information; or

(ii) copying, duplicating, downloading, uploading, destroying, transmitting, delivering, sending, communicating, or conveying a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information;

(2) Authorizations.—

(i) In general.—The authorities provided to the President under sections 202 and 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this section.

(ii) Authorization for Sanctions.—A person that violates this section, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702) to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(c) Exception to Sanctions.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(d) Exception Relating to Exportation of Goods.—(A) In General.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or requirement to impose sanctions on the exportation of goods.

(B) Good Defined.—In this paragraph, the term “good” means any article, natural or manufactured product, including inspection and test equipment, and excluding technical data.

(e) Waiver.—The President may waive the application of sanctions under this section with respect to a foreign person for renewals of periods of not more than 6 months if the President determines and reports to Congress that such a waiver is vital to the national security interests of the United States.

(f) Implementation; Penalties.

(1) Implementation.—The President may exercise the authorities provided to him to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(2) Penalties.—A person that violates this section, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any penalty, license, or order issued to carry out this section, shall be subject to the penalties set forth in subsections (b) and (c) of section 205 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

SEC. 12. FIFTH OR FUTURE GENERATION TELECOMMUNICATIONS TECHNOLOGY.

(a) Economic or Industrial Espionage.—(A) In general.—Federal laws relating to trade secrets and proprietary information owned by United States persons; or

(B) other related illicit activities, including violations of sanctions imposed by the United States.

(c) Exception.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(d) Exception Relating to Exportation of Goods.—(A) In General.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or requirement to impose sanctions on the exportation of goods.

(B) Good Defined.—In this paragraph, the term “good” means any article, natural or manufactured product, including inspection and test equipment, and excluding technical data.

(e) Waiver.—The President may waive the application of sanctions under this section with respect to a foreign person for renewals of periods of not more than 6 months if the President determines and reports to Congress that such a waiver is vital to the national security interests of the United States.

(f) Implementation; Penalties.

(1) Implementation.—The President may exercise the authorities provided to him to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(2) Penalties.—A person that violates this section, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any penalty, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702) to the same extent as a person that commits an unlawful act described in subsection (a) of this section.

(g) Enforcement Authority.—The President may exercise any other authority that the President determines is necessary to implement this Act, to the extent necessary to carry out this section.

(h) Authorization to Impose Sanctions.—The President may impose any other sanction that the President determines to be appropriate to further carry out this Act.

(i) Other Authority.—Nothing in this Act shall be construed to affect, impair, or repeal any other authority of the President or any other provision of law.
(C) FOREIGN PERSON.—The term ‘‘foreign person’’ means any person that is not a United States person.

(D) KNOWINGLY.—The term ‘‘knowingly,’’ with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(E) PERSON.—The term ‘‘person’’ means an individual or entity.

(F) PROPRIETARY INFORMATION.—The term ‘‘proprietary information’’ has the meaning given to that term in section 1637(d) of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 2304).

(G) THIRD AND FOURTH GENERATION TELECOMMUNICATIONS NETWORKS.—The term ‘‘third and fourth generation telecommunications networks’’ means telecommunications networks that conform to the technical standards followed by the telecommunications industry for telecommunications networks that are commonly known in the industry as third or fourth generation networks.

(H) TRADE SECRET.—The term ‘‘trade secret’’ has the meaning given that term in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or rule).

(3) RULE OF CONSTRUCTION.—For purposes of this section, a transaction shall not be construed to include—

(A) participation in an international standard-setting body or the activities of such a body; or

(B) a transaction involving existing third or fourth generation telecommunications networks.

SA 1878. Mrs. LOEPELLER (for herself, Ms. SINEMA, Mrs. BLACKBURN, and Mr. PERDUE) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title VIII, add the following:

SEC. 894. REPORT RECOMMENDING DISPOSITION NOTES TO CERTAIN SECTIONS OF TITLE 10, UNITED STATES CODE.

(a) IN GENERAL.—Not later than March 31, 2021, the Secretary of Defense shall submit to the Congress a report recommending the disposition of provisions of law found in the notes to the following sections of title 10, United States Code:

(1) Section 2313.

(2) Section 2364.

(3) Section 2362.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) for each provision of law included as a note to a section listed in such subsection, a recommendation whether such provision—

(A) should be repealed because the provision is no longer operative or is otherwise obsolete;

(B) should be codified as a section to title 10, United States Code, because the section has, and is anticipated to continue to have in the future, significant relevance; or

(C) should remain as a note to such section; and

(2) any legislative proposals appropriate to improve the intent and effect of the sections listed in such subsection.

(c) TECHNICAL CORRECTIONS.—(1) Section 2362(a) of title 10, United States Code, is amended by striking ‘‘Assistant Secretary of Defense for Research and Engineering’’ both places it appears and inserting ‘‘Under Secretary of Defense for Research and Engineering’’.

(2) Section 804(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note) is amended by striking ‘‘The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics,’’ and inserting ‘‘The Under Secretary of Defense for Acquisition and Sustainment’’.

SA 1880. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mrs. CAPITO, Mr. CRAMER, Mr. COONS, Mr. HONOVEN, Mr. ROUNDS, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) Short Title.—The amendment hereby may be cited as the ‘‘Utilizing Significant Emissions with Innovative Technologies Act’’ or the ‘‘USE IT Act’’.

(b) RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.—Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking ‘‘purposely’’ and inserting ‘‘precur- sors’’; and

(2) in subsection (g)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriate portions of subparagraph (A) as so redesignated—

(i) in the second sentence, by striking ‘‘The Administrator’’ and inserting the following:

‘‘(5) COORDINATION AND AVOIDANCE OF DUPLICATION.—The Administrator;’’ and

(ii) in the first sentence, by striking ‘‘Nothing’’ and inserting ‘‘(4) EFFECT OF SUBSECTION.—Nothing’’;

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) in the third sentence, by striking ‘‘Such program’’ and inserting the following:

‘‘(3) PROGRAM INCLUSIONS.—The program under this subsection—’’;

(ii) in the second sentence—

(A) by inserting ‘‘States, institutions of higher education,’’ after ‘‘scientists,’’; and

(B) by striking ‘‘Such strategies and technolo- gies shall be developed’’ and inserting the following:

‘‘(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics activities.’’

‘‘(A) IN GENERAL.—In carrying out paragraph (3) (A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E).

(B) DIRECT AIR CAPTURE RESEARCH.—

(1) DEFINITIONS.—In this paragraph—

(I) BOARD.—The term ‘‘Board’’ means the Direct Air Capture Technology Advisory Board established by clause (iii).

(ii) DILUTE.—The term ‘‘dilute’’ means a concentration of less than 1 percent by vol- umes.
(III) DIRECT AIR CAPTURE.—

(aa) In general.—The term ‘direct air capture’, with respect to a facility, technology, or system, means that the facility, technology, or system that captures carbon dioxide directly from the air.

(bb) Exclusion.—The term ‘direct air capture’ does not include any facility, technology, or system that captures carbon dioxide—

(AA) that is deliberately released from a natural system by anthropogenic processes; or

(BB) using natural photosynthesis.

(IV) INTELLECTUAL PROPERTY.—The term ‘intellectual property’ means—

(aa) an invention that is patentable under title 35, United States Code; and

(bb) any patent on an invention described in item (aa).

(ii) TECHNOLOGY PRIZES.—

(I) In general.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

(II) Duties.—In carrying out this clause, the Administrator shall—

(aa) subject to subclause (III), develop specific requirements for—

(AA) the competition process; and

(BB) the demonstration of performance of approved projects;

(bb) offer financial awards for a project design;

(cc) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

(bb) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

(AA) 1 project in a coastal State; and

(BB) 1 project in a rural State.

(III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall—

(aa) provide notice of and, for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (I); and

(bb) take into account public comments received during the final version of those requirements.

(iii) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—

(I) Establishment.—There is established an advisory board to be known as the ‘Direct Air Capture Technology Advisory Board’.

(II) Composition.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

(aa) physics;

(cc) chemistry;

(dd) biology;

(ee) engineering; and

(ff) economics;

(gg) business management; and

(hh) such other disciplines as the Administrator determines to be necessary to achieve the purposes of this subparagraph.

(III) Term; vacancies.—

(aa) Term.—A member of the Board shall serve for a term of 6 years.

(bb) Vacancies.—A vacancy on the Board—

(AA) shall not affect the powers of the Board; and

(BB) shall be filled in the same manner as the original appointment was made.

(iv) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

(v) Meetings.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

(vi) QUORUM.—A majority of the members of the Board shall constitute a quorum; but if a lesser number of members may hold hearings.

(vii) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

(vIII) CONSIDERATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

(ix) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

(x) FASA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

(iX) INTELLECTUAL PROPERTY.—

(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to—

(aa) make its intellectual property described in subparagraph (AA) available for commercialization with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

(bb) offer financial awards for a project design;

(cc) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

(bb) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

(AA) 1 project in a coastal State; and

(BB) 1 project in a rural State.

(III) Transfer of title.—Title to any intellectual property described in subparagraph (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

(iv) Authorization of appropriations.—

(I) General.—The amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

(III) Requirement.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

(IV) DEEP SALINE FORMATION REPORT.—

(I) DEFINITION OF DEEP SALINE FORMATION.—In this subparagraph, the term ‘deep saline formation’ means a formation of subsurface geographically extensive sedimentary rock layers saturated with brine or other liquid or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

(II) Clarification.—In this subparagraph, the term ‘deep saline formation’ does not include oil and gas reservoirs.

(III) Report.—In consultation with the Secretary of Energy, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

(aa) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research; and

(bb) recommendations, if any, for managing the potential risks identified under
subclause (I), including potential risks to public land; and

(III) recommendations, if any, for Federal legislation or other policy changes to mitigate potential risks identified under subclause (I).

(E) REPORT ON CARBON DIOXIDE NONREGULATORY STRATEGIES AND TECHNOLOGIES—

(i) In General.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

(1) the recipients of assistance under subparagraphs (B) and (C); and

(2) a plan for supporting additional nonregulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

(ii) Inclusions.—The plan submitted under clause (i) shall include—

(I) a methodology for evaluating and ranking funding based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

(II) a description of any nonair-related environmental or energy considerations regarding the technologies.

(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

(i) identifies all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) overlap or are duplicative.

(R) REPORT.—Not later than 180 days after the date of enactment of this Act, the Chair of the Committee on Energy and Commerce of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives, shall prepare a report that—

(I) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(II) inventories initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(i) the appropriate points of interaction with Federal agencies;

(ii) clarification of the permitting responsibilities and authorities among Federal agencies; and

(iii) best practices and templates for permitting;

(III) the appropriate points of interaction with Federal agencies;

(IV) the appropriate points of interaction with Federal agencies;

(V) the appropriate points of interaction with Federal agencies;

(VI) the appropriate points of interaction with Federal agencies;

(VII) the appropriate points of interaction with Federal agencies;

(VIII) the appropriate points of interaction with Federal agencies;

(V) any other Federal law that the Chair determines to be appropriate.

(G) REPORT.—The guidance under subparagraph (A) shall be subject to the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(D) SUBMISSION.—The Chair shall—

(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revisit the guidance under subparagraph (A); and

(ii) each year, submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(T) TASK FORCE.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographic, land use, or geological issue—

(i) to identify permitting and other challenges and successes that permit作者 and project developers and operators face; and

(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS.—Members and selection of 1969 (42 U.S.C. 4321 et seq.).

(i) In General.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members to each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—
(i) shall include not less than 1 representative of each of—
(aa) the Environmental Protection Agency;
(bb) the Department of Energy;
(cc) the Department of the Interior;
(dd) any other Federal agency the Chair determines to be appropriate;
(ee) any State that requests participation in the geographical area covered by the task force;
(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and
(gg) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and
(II) at the request of a Tribal or local government, may include a representative of—
(aa) not less than 1 local government in the geographical area covered by the task force; and
(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—
(i) In general.—Each task force shall meet not less than twice each year.
(ii) Joint meeting.—To the maximum extent practicable, the task forces shall meet collectively no less than once each year.
(D) DUTIES.—Each task force shall—
(I) inventory existing or potential Federal and State regulatory frameworks associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—
(aa) avoid duplicative reviews;
(bb) engage stakeholders early in the permitting process; and
(cc) make the permitting process efficient, orderly, and responsible;
(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;
(iii) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under clause (I);
(iv) work to identify current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;
(v) ensure that carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and
(vi) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(E) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—
(i) reevaluate the need for the task forces; and
(ii) submit to Congress a recommendation as to whether the task forces should continue.

SA 1881. Mrs. HYDE-SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SECT. 1085. SENSE OF SENATE ON GOLD STAR FAMILIES REMEMBRANCE WEEK.

(a) FINDINGS.—The Senate makes the following findings:

(1) The last Sunday in September—
(A) is designated as ‘‘Gold Star Mother’s Day’’ under section 111 of title 36, United States Code; and
(B) was first designated as ‘‘Gold Star Mother’s Day’’ under the Joint Resolution entitled ‘‘Resolution designating the last Sunday in September as ‘Gold Star Mother’s Day’, and for other purposes’’, approved June 23, 1936 (48 Stat. 1886).

(2) There is no date dedicated to families affected by the loss of a loved one who died in service to the United States.

(3) A gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces.

(4) The members and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States.

(5) The selfless example of the service of the members and veterans of the Armed Forces, as well as the sacrifices made by the families of those individuals, inspires all individuals in the United States to sacrifice and work diligently for the good of the United States.

(6) The sacrifices of the families of the fallen members of the Armed Forces and the families of survivors of the Armed Forces should never be forgotten.

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

(1) designates the week of September 20 through September 26, 2020, as ‘‘Gold Star Families Remembrance Week’’;

(2) honors and recognizes the sacrifices made by—
(A) the families of members of the Armed Forces who made the ultimate sacrifice in order to defend freedom and protect the United States; and
(B) the families of veterans of the Armed Forces; and

(3) encourages the people of the United States to observe Gold Star Families Remembrance Week by—
(A) performing acts of service and good will in their communities; and
(B) honoring families in which loved ones made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.

SA 1882. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1020. REPORT ON INVENTORY OF STOCK AND SURPLUS CH–46 PARTS.

Not later than September 1, 2021, the Defense Logistics Agency shall submit to the congressional defense committees a report that includes the following:

(1) A comprehensive catalog of excess, inventory, spare, and surplus CH–46 parts.
(2) An explanation on how the Defense Logistics Agency manages excess, inventory, spare, and surplus CH–46 parts and the status of such depositions.

(S) An assessment of limiting factors for CH–46 spare and surplus parts for commercial use.

SA 1883. Mr. ROMNEY (for himself, Mr. COONS, Ms. HASSAN, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. STATEMENT OF POLICY ON COOPERATION IN THE INDO-PACIFIC REGION.

It is the policy of the United States—

(1) to strengthen alliances and partnerships in the Indo-Pacific region and Europe and with like-minded countries around the globe to effectively compete with the People’s Republic of China; and
(2) to work in collaboration with such allies and partners—

(A) to address significant diplomatic, economic, and military challenges posed by the People’s Republic of China; and
(B) to deter the People’s Republic of China from pursuing military aggression;

(C) to promote the peaceful resolution of territorial disputes in accordance with international law;
(3) to promote private sector-led long-term economic development while countering efforts by the Government of the People’s Republic of China to leverage predatory economic practices as a means of political and economic coercion in the Indo-Pacific region and beyond;

(E) to promote the values of democracy and human rights, including through efforts to end the repression by the Chinese Communist Party of political dissidents and Uyghurs and other ethnic Muslim minorities, Tibetan Buddhists, Christians, and other minorities;
(F) to respond to the crackdown by the Chinese Communist Party, in contravention of the commitments made under the Sino-British Joint Declaration of 1984 and the Basic Law of the Hong Kong Special Administrative Region, on the legitimate aspirations of the people of Hong Kong; and
(G) to counter the Chinese Communist Party’s efforts to spread disinformation in the People’s Republic of China and beyond with respect to the response of the Chinese Communist Party to COVID–19.
SA 1884. Mr. ROMNEY (for himself, Mr. KING, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 12...COMPARATIVE STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE'S REPUBLIC OF CHINA, RUSSIAN FEDERATION, AND THE UNITED STATES.

(a) STUDIES REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall undertake a comparative study on the defense budget of the People's Republic of China, the Russian Federation, and the United States.

(b) GOAL.—The goal of the studies required by subsection (a) is to develop a methodologically sound set of assumptions to underpin a comparison of the defense spending of the People's Republic of China, the Russian Federation, and the United States.

(c) ELEMENTS.—Each study required by subsection (a) shall do the following:

(1) Develop consistent functional categories for spending, including—
   (A) defense-related research and development;
   (B) weapons procurement;
   (C) operations and maintenance; and
   (D) personnel costs.

(2) Consider the effects of purchasing power parity and market exchange rates, particularly on nontraded goods.

(3) Establish a base of functional categories in the relative prices of goods and labor within each subject country.

(4) Compare the costs of labor and benefits for the defense workforce of each subject country.

(5) Account for discrepancies in the manner in which each subject country accounts for certain functional types of defense-related spending.

(6) Explicitly estimate the magnitude of omitted spending from official defense budget information.

(7) Evaluate the adequacy of the United Nations database on military expenditures.

(8) Exclude spending related to veterans' benefits.

(d) REPORT.—Not later than 30 days after the date on which the studies required by subsection (a) are completed, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study required by subsection (a), along with the Secretary's views of the comparative study.

SEC. 1242. LIMITATION ON USE OF FUNDS TO REDUCE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO THE FEDERAL REPUBLIC OF GERMANY.

(a) STUDIES REQUIRED.—

(1) IN GENERAL.—None of the funds authorized to be appropriated to the Department of Defense for fiscal year 2021, or any subsequent fiscal year, shall be used for a reduction of the number of members of the Armed Forces serving on active duty who are deployed to the Federal Republic of Germany below 34,500 until 30 days after the date on which the Secretary of Defense certifies, not later than 30 days after the submittal of the report required by subsection (b), to the appropriate committees of Congress, that—
   (I) such a reduction—
      (A) is in the national security interest of the United States;
      (B) will undermine the security of United States allies and partners in Europe;
      (C) will undermine the deterrence and defense posture of the North Atlantic Treaty Organization;
      (D) will not pose an unacceptable risk to the ability of the Armed Forces to execute contingency plans of the Department of Defense;
      (E) will not adversely impact ongoing operations of the Armed Forces, including operations in the areas of responsibility of the United States Central Command and the United States Africa Command;
      (F) will not negatively impact military families; and
      (G) will not result in significant additional costs for redeployment and relocation and associated infrastructure; and
   (2) the Secretary has appropriately consulted with allies of the United States, including the Federal Republic of Germany and other members of the North Atlantic Treaty Organization, and the Secretary General of the North Atlantic Treaty Organization.

(b) REPORT.—

(1) IN GENERAL.—Not later than 30 days before the date on which the certification under subsection (a) is submitted, the Secretary of Defense shall submit to the appropriate committees of Congress a report that includes the following:
   (A) A description of any security factor that provides the basis for the decision to reduce the total number of members of the Armed Forces serving on active duty who are deployed to the Federal Republic of Germany.
   (B) A description of the reduction in such number of members of the Armed Forces, including the number of active duty members of the Armed Forces and support personnel who would be reduced, and any other limitation on the number of active duty or rotational members of the Armed Forces present in the Federal Republic of Germany.
   (C) A plan for the redeployment and redeployment of members of the Armed Forces from the Federal Republic of Germany, and any planned relocation of military families, including the proposed numbers and locations of relocated or redeployed members of the Armed Forces and military families, and an estimate of the costs of such redeployment and relocation and associated infrastructure.
   (D) An assessment of the impact of such reduction on the availability of family support programs and services in new locations, and options for military family support programs and services in new locations, including the Federal Republic of Germany to unaccompanied tours of the Armed Forces serving on active duty who are deployed to the Federal Republic of Germany below 34,500.
   (E) An estimate of associated facilities costs necessary to support military families in new locations, including the Federal Republic of Germany to unaccompanied tours in other locations; and
   (F) An assessment of the impact of family separation on the mental health and stability of military spouses and families.

(2) FORM.—The report required by paragraph (1) shall be in classified form and shall include an unclassified summary.

APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Appropriations; the Committee on Foreign Relations of the Senate; and
(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SA 1886. Mr. CRUZ (for himself, Mrs. SHAHEEN, Mr. BARRASSO, Mr. JOHNSON, and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and...
for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1214. CLARIFICATION AND EXPANSION OF SANCTIONS RELATING TO CONSTRUCTION OF NORD STREAM 2 OR TURKSTREAM PIPELINE PROJECTS.

(a) IN GENERAL.—Subsection (a)(1) of section 7503 of the Protecting Europe’s Energy Security Act of 2019 (title LXXV of Public Law 116–92) is amended—

(1) in subparagraph (A), by inserting “or pipe-laying activities” after “pipe-laying”; and

(2) in subparagraph (B)—

(A) in clause (1)—

(i) by inserting “; or facilitated selling, leasing, or providing;” after “provided”; and

(ii) by inserting “; or” and inserting a semicolon;

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

(C) by adding at the end the following:

“(iii) provided underwriting services or insurance or reinsurance for those vessels; 

(iv) provided services or facilities for technology upgrades or installation of welding equipment for, or retrofitting or teth- 

ering of, those vessels; or 

(v) provided services for the testing, in- 

spection, operation necessary for, or associated with the operation of, the Nord Stream 2 pipeline.”;

(b) DEFINITIONS.—Section (i) of such subsection is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the follow- 

owing:

“Pipe-laying activities.—The term ‘pipe-laying activities’ means activities that facilitate pipe-laying, including site preparation, trenching, surveying, placing rocks, backfilling, stringing, bending, welding, coating, and lowering of pipe.”.

SA 1887. Mrs. HYDE-SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 156. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF KC-135 TANKER AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for military activities of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1210. MODIFICATION TO AND HIRING AUTHORITY FOR THE GLOBAL ENGAGE- 
MENT CENTER.

(a) ELIMINATION OF TERMINATION DATE FOR THE GLOBAL ENGAGEMENT CENTER.—Section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended—

(1) in subsection (h), by striking the second sentence; and

(2) by striking subsection (j).

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary of State, on a time-limited basis and solely to carry out sections of the Global Engagement Center established by such section, may—

(1) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

(2) fix the basic compensation of such em- 
ployment employees without regard to chapter 51 and subchapter III of chapter 55 of title 5, United States Code, regarding classification and General Schedule pay rates.

SA 1889. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4901, in the item relating to Stryker Upgrade, strike the amount in the Senate Authorized column and insert “1,222,000.”

In the funding table in section 4901, in the item relating to Total Procurement of W&TCV, Army, strike the amount in the Senate Authorized column and insert “4,016,028.”

SA 1890. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1284. DISSEMINATION OF NATIONAL SECURITY ISSUES.''

Section 2501(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(11) Ensuring domestic manufacturing ca- 

pacity of items, including goods compliant with the section 232(a) of title 10, United States Code (commonly referred to as the ‘Berry Amendment’), in anticipation of peri- 

ods necessitating surgeries in production.”.

SA 1891. Mr. PORTMAN (for himself, Mr. SCHATZ, Ms. ERNST, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the follow- 

SEC. 12E. DEEPFAKE REPORT.

(a) DEFINITIONS.—In this section:

(1) DIGITAL CONTENT FORGERY.—The term “digital content forgery” means the use of emerging technologies, including artificial intelligence and machine learning tech- 

niques, to fabricate or manipulate audio, vis- 

ual, or text content with the intent to mis- 

lead.

(2) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(b) REPORTS ON DIGITAL CONTENT FORGERY TECHNOLOGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annu- 

ally thereafter for 5 years, the Secretary, acting through the Under Secretary for Science and Technology, shall produce a report on the state of digital content forgery technology.

(2) CONTENTS.—Each report produced under paragraph (1) shall include—

(A) an assessment of the types of digital content forgeries, including the evolution of such technologies;

(B) an assessment of the underlying tech- 

nologies used to create or propagate digital content forgeries, including the evolution of such technologies;

(C) a description of the types of digital content forgeries, including those used to commit fraud, cause harm, or violate civil rights recognized under Federal law;

(D) an assessment of how foreign govern- 

ments, and the proxies and networks thereof, use, or could use, digital content forgeries to harm national security;

(E) a description of how non-governmental entities in the United States use, or could use, digital content forgeries;

(F) an assessment of the uses, applications, dangers, and benefits of deep learning tech- 

nologies used to generate high fidelity artificial content of events that did not occur, in- 

cluding the impact on individuals;

(G) an analysis of the technologies used to de- 

termine whether content is genuinely cre- 

ated by a human or through digital content forgery technology and an assessment of any effec- 

tive heuristics used to make such a de- 

termination, as well as recommendations on how to identify and address suspect content and elements to provide warnings to users of the content;

(H) a description of the technological counter-measures that are, or could be, used to address concerns with digital content forger technology; and

(I) any additional information the Sec- 

retary determines appropriate.

(3) CONSULTATION AND PUBLIC HEARINGS.—In producing each report required under para- 

graph (1), the Secretary may—

(A) consult with any other agency of the Federal Government that the Secretary con- 

siders necessary and

(B) conduct public hearings to gather, or otherwise allow interested parties an oppor- 

tunity to present, information and advice rela-

tive to the production of the report.

(4) FORM OF REPORT.—Each report required under paragraph (1) shall be produced in an unclassified form, but may contain a classified annex.

(5) APPLICABILITY OF FOIA.—Nothing in this section, or in a report produced under this

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section, shall be construed to allow the disclosure of information or a record that is exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ‘‘Freedom of Information Act’’).

(6) APPLICABILITY OF THE PAPERWORK REDUCTION ACT.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ‘‘Paperwork Reduction Act’’), shall not apply to this section.

SA 1892. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 240. ELEMENT IN ANNUAL REPORTS ON CYBER SCIENCE AND TECHNOLOGY ACTIVITIES.—Not later than September 30 of each year, in the annual report on the activities of the Department of Defense, the Director of the National Intelligence, and the Secretary of Energy, the Director of the National Science Foundation, the Director of the Office of Science and Technology Policy, shall establish a task force to:

(A) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall establish a task force,

(i) to investigate the feasibility and advisability of establishing a national artificial intelligence research resource; and,

(ii) to detail how such resource should be established and sustained.

(B) DESIGNATION.—The task force established by subparagraph (A) shall be known as the ‘‘National Artificial Intelligence Research Resource Task Force’’ (in this section referred to as the ‘‘Task Force’’).

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Task Force shall be composed of 12 members selected by the co-chairpersons of the Task Force from among technical experts in artificial intelligence or related subjects, of whom:

(i) 4 shall be representatives from the Federal Government, including the co-chairpersons of the Task Force;

(ii) 4 shall be representatives from institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(iii) 4 shall be representatives from private organizations.

(B) APPOINTMENT.—Not later than 120 days after enactment of this Act, the co-chairpersons of the Task Force shall appoint members to the Task Force pursuant to subparagraph (A).

(C) TERM OF APPOINTMENT.—Members of the Task Force shall be appointed for the life of the Task Force.

(D) VACANCY.—Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made.

(E) CO-CHAIRPERSONS.—The Director of the Office of Science and Technology Policy and the Director of the National Science Foundation, or their designees, shall be the co-chairpersons of the Task Force. If the role of the Director of the National Science Foundation is vacant, the Chair of the National Science Board shall act as a co-chairperson of the Task Force in lieu of the Director of the National Science Foundation.

(F) EXPENSES FOR NON-FEDERAL MEMBERS.—Non-Federal members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

(G) COMMITTEE.—The Task Force shall be comprised of the following:

(i) the Department of Energy, as represented by the Secretary of Energy;

(ii) the National Intelligence, as represented by the Director of National Intelligence;

(iii) the National Science Foundation, as represented by the Director of the National Science Foundation;

(iv) 5 shall be representatives of Federal agencies and organizations related to artificial intelligence, or related fields from the Federal Government, including the co-chairpersons of the Task Force.

(H) STAFF.—The co-chairpersons of the Task Force may hire staff from outside the Federal government for the duration of the task force.

(I) REQUIREMENTS.—The co-chairpersons of the Task Force shall be responsible for the implementation, deployment, and ongoing development of the resource; and

(J) TASK FORCE REPORTS.—

(c) ROADMAP AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Task Force shall develop a coordinated roadmap and implementation plan for establishing and sustaining a national artificial intelligence research resource.

(2) CONTENTS.—The roadmap and plan required by paragraph (1) shall include the following:

(A) Goals for establishment and sustainment of a national artificial intelligence research resource and metrics for success.

(B) A plan for ownership and administration of such resource, including:

(i) an appropriate agency or organization responsible for the implementation, deployment, and administration of the resource; and

(ii) a governance structure for the resource, including oversight and decision-making authorities.

(C) A model for governance and oversight to establish, maintain, manage, and operate the artificial intelligence research resource, and allocate resources.

(D) Capabilities required to create and maintain a shared computing infrastructure to facilitate access to computing resources for researchers across the country, including computing, storage, and cloud services, secure access control, resident data engineering and curation expertise, provision of curated, data sets, compute resources, educational tools and services, and a user-friendly portal.

(E) An assessment of, and recommend solutions to, barriers to the dissemination and use of high-quality government data sets as part of the national artificial intelligence research resource.

(F) An assessment of security requirements associated with the national artificial intelligence research resource, and its research.

(G) An assessment of privacy and civil liberties requirements associated with the national artificial intelligence research resource and its research.

(H) A plan for sustaining the national artificial intelligence research resource, including through Federal funding and partnerships with the private sector.

(I) The parameter for the establishment and sustainment of the national artificial intelligence research resource, including roles and responsibilities for Federal agencies and milestones to establish and sustain the research resource.

(d) CONSULTATIONS.—In carrying out subsection (c), the Task Force shall consult with the following:

(1) The National Science Foundation.

(2) The Office of Science and Technology Policy.

(3) The National Academies of Sciences, Engineering, and Medicine.

(4) The National Institute of Standards and Technology.


(6) The Intelligence Advanced Research Projects Activity.

(7) The Department of Energy.

(8) The Department of Defense.

(9) The General Services Administration.

(10) Private industry.

(11) Institutions of higher education.

(12) Other persons as the Task Force considers appropriate.

(e) STAFF.—Staff of the Task Force shall comprise individuals with expertise in artificial intelligence, or related fields from the Office of Science and Technology Policy, the National Science Foundation, or any other Federal agency the co-chairpersons consider appropriate, with the consent of the head of the Federal agency. The co-chairpersons may hire staff from outside the Federal government for the duration of the task force.

(f) TASK FORCE REPORTS.—

(1) INITIAL REPORT.—Not later than 6 months after the date on which all of the appointments have been made under subsection (b)(2)(B), the Task Force shall submit to the President an interim report containing the findings, conclusions, and recommendations of the Task Force. The report shall include specific recommendations regarding the scope of the Task Force.

(2) FINAL REPORT.—Not later than 3 months after the submittal of the interim report containing paragraph (1), the Task Force shall submit to Congress and the President a final report containing the findings, conclusions, and recommendations of the Task Force, including the specific recommendations developed under subsection (c).

(g) TRANSITIONAL PROVISION.—

(1) IN GENERAL.—The Task Force shall terminate 90 days after the date on which it
SA 1894. Mr. PORTMAN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe the military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII of part II, add the following:

SEC. 1290A. DEFINITION.

The following:

SEC. 1290. REPORT ON DEPARTMENT OF DEFENSE STRATEGY ON ARTIFICIAL INTELLIGENCE STANDARDS.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the role of the Department of Defense in the development of artificial intelligence standards.

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

(1) the need for the Department of Defense to develop an artificial intelligence standards strategy.

(2) Any efforts to date on the development of such a strategy.

(3) The ways in which an artificial intelligence standards strategy will improve the national security.

(4) How the Secretary intends to collaborate with—

(A) the Director of the National Institute of Standards and Technology;

(B) the Secretary of Homeland Security;

(C) the intelligence community;

(D) the Secretary of State;

(E) representatives of private industry, specifically representatives of the defense industrial base; and

(F) representatives of any other agencies, entities, organizations, or persons the Secretary considers appropriate.

SA 1895. Mr. RUBIO (for himself, Mr. COONS, Mr. RISCH, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII of division A, add the following:

Subtitle H—United States-Israel Security Assistance

SEC. 1290. SHORT TITLE.

This subtitle may be called the “United States-Israel Security Assistance Authorization Act of 2020.”

SEC. 1290A. DEFINITION.

In this subtitle, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Armed Services of the House of Representatives.

CHAPTER 1—SECURITY ASSISTANCE FOR ISRAEL

SEC. 1291. FINDINGS.

Congress makes the following findings:

(1) On September 14, 2016, the United States, in a 10-year Memorandum of Understanding to reaffirm the importance of continuing annual United States military assistance to Israel and cooperative missile defense, for the development and acquisition of advanced capabilities that Israel requires to meet its security needs and to enhance United States capabilities.

SEC. 1292. STATEMENT OF POLICY.

It is the policy of the United States to provide assistance to the Government of Israel for the development and acquisition of advanced capabilities that Israel requires to meet its security needs and to enhance United States capabilities.

SEC. 1293. SECURITY ASSISTANCE FOR ISRAEL.

(a) Authorization.—The President is authorized to—

(1) prescribe procedures for the rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions; or

(2) assist Israel, which is an ally of the United States, to protect itself against direct missile threats.

SEC. 1294. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) Department of Defense Appropriations Act, 2005.—Section 1201(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking “September 30, 2020” and inserting “after September 30, 2025”.


SEC. 1295. EXTENSION OF LOAN GUARANTEES TO ISRAEL.

(a) In General.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321d), the President is authorized to transfer to Israel precision guided munitions from reserve stocks for Israel in such quantities as may be necessary for legitimate security purposes, subject to transfer guidelines consistent with the purposes and conditions for such transfers under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(b) CERTIFICATIONS.—Except in case of emergency, as determined by the President, not later than 5 days before making a transfer under subsection (a), the President shall certify to the appropriate committees of Congress that the transfer of the precision guided munitions—

(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;

(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions;

(3) is necessary for Israel to counter the threat of rockets in a timely fashion; and

(4) is in the national security interest of the United States.

SEC. 1296. SENSE OF CONGRESS ON RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.

It is the sense of Congress that the President should—

(1) prescribe procedures for the rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions; or

(2) assist Israel, which is an ally of the United States, to protect itself against direct missile threats.

SEC. 1297. SENSE OF CONGRESS ON RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.

It is the sense of Congress that the President should—

(1) prescribe procedures for the rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions; or

(2) assist Israel, which is an ally of the United States, to protect itself against direct missile threats.

SEC. 1298. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO THE EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) Israel has adopted high standards in the field of weapons export controls.

(2) Israel has declared its unilateral adherence to the Missile Technology Regime, the Australia Group, and the Nuclear Suppliers Group.

(3) Israel is a party to—

(A) the Convention for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925 (commonly known as the “Geneva Protocol”);

(B) the Convention on the Physical Protection of Nuclear Material, signed at Vienna and New York March 3, 1980; and

(C) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980.

(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, re-export, or in-country transfer of an item subject to controls under the Export Administration Regulations.

SEC. 1299. SENSE OF CONGRESS ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTIO
of this Act, the President shall brief the appropriate congressional committees by de-
scribing the steps taken to include Israel in the list of countries eligible for the strategic trade exception under section 746.20(c)(1) of title 15, Code of Federal Regu-
lations, as required under section 6(b) of the United States-Israel Strategic Partnership Act of 2012.

CHAPTER 2—ENHANCED UNITED STATES-
ISRAEL COOPERATION

SEC. 1299. UNITED STATES AGENCY FOR IN-
TERNATIONAL DEVELOPMENT MEMO-
RANDA OF UNDERSTANDING TO-
CIANCE COOPERATION WITH ISRAEL.

(a) FINDINGS.—Congress finds that the United States Agency for International De-
velopment and Israel's Agency for International Development Cooperation should continue to cooperate with Israel to advance common development goals in third countries across a wide variety of sectors, in-cluding culture, food security, democracy, human rights, governance, eco-
nomic growth, trade, education, environment, global health, water, and sanitation.

(b) SENSE OF CONGRESS REGARDING USAID POLICY.—It is the sense of Congress that the Department of State and the United States Agency for International Development should continue to cooperate with Israel to advance common development goals in third countries across a wide variety of sectors, including culture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation.

(c) MEMORANDA OF UNDERSTANDING.—The Secretary of State, acting through the Admin-
istrator of the United States Agency for International Development, may enter into memorandum of understanding with Israel to cooperate with Israel to advance common goals on energy, agri-
culture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation, with a focus on strengthening mutual ties and cooperation with nations throughout the world.

SEC. 1299A. COOPERATIVE PROJECTS AMONG THE UNITED STATES, ISRAEL, AND DEVELOPING COUNTRIES.

Section 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151d) is amended by striking sub-
sections (e) and (f) and inserting the following:

"(e) There are authorized to be appropriated $2,000,000 for each of the fiscal years 2015 and 2016 for joint cooperative projects among the United States, Israel, and developing countries that identify and support local solutions to address sustain-
ability challenges relating to water resources, agriculture, and energy storage, in-
cluding—

(1) establishing public-private partnerships;

(2) supporting the identification, re-
search, development, testing, and scaling of innovations that focus on populations that are vulnerable to environmental and re-
source-scarcity crises, such as subsistence farming communities;

(3) seed or transition-to-scale funding;

(4) clear and appropriate branding and
marking of United States funded assistance, in accordance with section 641; and

(5) accelerating demonstrations or appli-
cations of local solutions to sustainability
challenges, or the further refinement, test-
ing, or implementation of innovations that have previously effectively addressed sus-
tainability challenges.

(f) Amounts appropriated pursuant to
subsection (e) shall be obligated in accord-
cence with the memoranda of understanding referred to in paragraphs (a) and (c) of mem-

SEC. 1299B. JOINT COOPERATIVE PROGRAM RE-
LATED TO INNOVATION AND HIGH-
TECH FOR THE MIDDLE EAST RE-
GION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should help foster co-
operation in the Middle East region by fi-
nancing and, as appropriate, cooperating in projects related to innovation and advanced technologies; and

(2) projects referred to in paragraph (1) should—

(A) contribute to development and the quality of life in the Middle East region through the advancement of research and ad-
vanced technology; and

(B) contribute to Arab-Israeli cooperation by establishing strong working relationships that last beyond the life of such projects;

(b) ESTABLISHMENT.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, is authorized to seek to estab-
lish a program between the United States and appropriate regional partners to provide support for cooperation in the Middle East region by supporting projects related to innovation and advanced technologies.

(c) PROJECT REQUIREMENTS.—Each project carried out under this program shall be—

(1) shall include the participation of at
least 1 entity from Israel and 1 entity from another region;

(2) shall be conducted in a manner that ap-
propriately protects sensitive information, intellectual property, the national security interests of that region, and the na-
tional security interests of Israel.

SEC. 1299C. SENSE OF CONGRESS ON UNITED STATES-ISR.
ECONOMIC CO-
OPERATION.

It is the sense of Congress that—

(1) the United States-Israel economic part-
nership—

(A) has achieved great tangible and intan-
gible benefits to both countries; and

(B) is a foundational component of the strong alliance;

(2) science and technology innovations present promising new frontiers for United States-Israel economic cooperation, particu-
larly in light of widespread drought, cyberse-
curity attacks, and other major challenges
impacting the United States; and

(3) the President should regularize and ex-
pand the economic dialogue with Israel and foster both public and pri-

PRIVATE SECTOR COOPERATION.

SEC. 1299D. COOPERATION ON DIRECTED ENERGY CAPABILITIES.

(a) AUTHORITY.

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish di-
rected energy capabilities that address threats to security, defenses, and con-
trolled energy capabilities of the United States, or Israel. Any activi-
ties carried out under this paragraph shall be conducted in a manner that appropriately protects intellectual property, the national security interests of the United States, and the national security interests of Israel.

(b) REQUIREMENTS.—Activities described in paragraph (1) may be carried out after the Secretary of Defense, with the concurrence of the Secretary of State, submits a report to the appropriate congressional committees that includes—

(A) a memorandum of agreement between the United States and Israel regarding shar-
ing of relevant intelligence on capabilities described in paragraph (1), and any supporting documents; and

(2) R EPORT.—The support described in paragraph (1) may not be provided unless the Secretary of Defense, with the concurrence of the Secretary of State, certifies to the appropriate congressional committees that the Government of Israel will contribute to such support—

(A) an amount not less than the amount of support to be so provided; or

(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) SEMIANNUAL REPORT.—The Secretary of Defense, with the concurrence of the Sec-
retary of State, shall submit a semianual report to the appropriate congressional com-
mittees that includes the most recent semi-
annual report provided by the Government of Israel to the United States Government.

SEC. 1299E. PLANS TO PROVIDE ISRAEL WITH NECESSARY DEFENSE ARTICLES AND SERVICES IN A CONTINGENCY.

(a) IN GENERAL.—The President shall estab-
lish and update, as appropriate, plans to provide Israel with defense articles and serv-
ices that are determined by the Secretary of Defense to be necessary for the defense of Israel in a contingency.

(b) CONGRESSIONAL BRIEFING.—Not later
than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall brief the appropriate con-
gressional committees regarding the status of the plans required under subsection (a).

SEC. 1299F. OTHER MATTERS OF COOPERATION.

(a) AUTHORITY.

(1) IN GENERAL.—There is authorized to be appropriated under this section shall be carried out with the concurrence of the Secretary of State and aligned with the National Security strategy of the United States, the United States Government Global Health Security Strategy, the Department of State Integrated Country Strategies, the USAID Country Development Cooperation Strategies, and any equivalent or successor plans or strategies, as necessary and appropriate.

(b) DEVELOPMENT OF HEALTH TECH-
NOLOGIES.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Health and
Human Services $1,000,000 for each of the fiscal years 2021 through 2023 for a bilateral cooperative program with the Government of Israel that awards grants for the development of technologies including health technologies listed in paragraph (2), subject to paragraph (3), with an emphasis on collaboratively advancing the use of technologies for personalized medicine in relation to COVID-19.

(2) TYPES OF HEALTH TECHNOLOGIES.—The health technologies described in this paragraph include technologies such as sensors, drugs and vaccinations, respiratory assist devices, diagnostic tests, and telemedicine.

(3) RESTRICTIONS ON FUNDING.—Amounts appropriated pursuant to paragraph (1) are subject to a matching contribution from the Government of Israel.

(4) OPTION FOR ESTABLISHING NEW PROGRAM.—Amounts appropriated pursuant to paragraph (1) may be expended for a bilateral program with the Government of Israel that—

(A) is in existence on the day before the date of the enactment of this Act for the purposes described in paragraph (1); or

(B) is established after the date of the enactment of this Act on a basis with Israel.

Innovation Authority, may oversee civilian health technologies described in this paragraph (1).

(5) POTENTIAL FOR OPERATIVE PROGRAM WITH THE GOVERNMENT OF ISRAEL.—Amounts appropriated pursuant to paragraph (1) may be expended for a bilateral program with the Government of the State of Israel on Cooperation in Science and Technology for Energy, Water, Homeland Security, Agriculture, and Alternative Fuels. The United States–Israel Energy Strategic Partnership Act of 2014 (22 U.S.C. 8006) is amended by adding at the end the following:

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2021 through 2023.

(5) ANNUAL POLICY DIALOGUE.—It is the sense of Congress that the Department of Transportation and Israel's Ministry of Transportation shall continue to hold an annual policy dialogue to implement the 2016 Memorandum of Cooperation signed by the Secretary of Transportation and the Israeli Minister of Transportation.

(6) COOPERATION ON SPACE EXPLORATION AND SCIENCE INITIATIVES.—The Administrator of the National Aeronautics and Space Administration shall continue to work with the Israel Space Agency to identify and cooperatively pursue peaceful space exploration and science initiatives in areas of mutual interest, including measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

(7) RESEARCH AND DEVELOPMENT COOPERATION RELATING TO DESALINATION TECHNOLOGY.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit a report that describes research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology in accordance with section 9(b)(3) of the Water Desalination Act of 1996 (42 U.S.C. 17337). The Water Desalination Act of 1996 (42 U.S.C. 17337) is amended by—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Energy and Natural Resources of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Natural Resources of the House of Representatives.

In order to conduct any sale or lease of a parcel within the Eglin Water Test Areas or Warning Areas in the Gulf of Mexico on or after the date of the enactment of this Act—

(1) such sale or lease shall be authorized by the Secretary of Defense;

(2) the Secretary shall certify to Congress that the sale or lease will have no impact on any training, testing, or operations of the Armed Forces within the Eglin Water Test Areas or Warning Areas or degrade the readiness of the Armed Forces.

SEC. 146. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(b) DESIGNATION.—

(1) In General.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

"146. Silver Star Service Banner Day."

"(a) DESIGNATION.—May 1 is Silver Star Service Banner Day."

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to "145. Flag Day" the following:

"146. Silver Star Service Banner Day.".

SEC. 147. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) The Silver Star Service Banner is a symbol of honor to Wounded and Ill Members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as “Silver Star Service Banner Day”.

(b) DESIGNATION.—

(1) In General.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

"146. Silver Star Service Banner Day.

"(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to "145. Flag Day" the following:

"146. Silver Star Service Banner Day.".

SEC. 148. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) The Silver Star Service Banner is a symbol of honor to Wounded and Ill Members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as “Silver Star Service Banner Day”.

(b) DESIGNATION.—

(1) In General.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

"146. Silver Star Service Banner Day.

"(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to "145. Flag Day" the following:

"146. Silver Star Service Banner Day.".
(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate "Silver Star Service Banner Day".

(5) Proclamation.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.

SEC. 146. Silver Star Service Banner Day.

(1) In general.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

"146. Silver Star Service Banner Day.

(a) Designation.—May 1 is Silver Star Service Banner Day.

(b) Proclamation.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.

(2) Clerical amendment.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

"146. Silver Star Service Banner Day."

SA 1899. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1001. MASCOTS, MEDALS, AND SWAG.

(a) Definitions.—In this section—

(1) the term "mascot"—

(A) means an individual, animal, or object adopted by an agency as a symbolic figure to represent the agency or the mission of the agency; and

(B) includes a costumed character;

(2) the term "agency" has the meaning assigned by section 3109 of title 5, United States Code;

(3) the term "swag"—

(A) means a tangible product or merchandise distributed at no cost with the sole purpose of advertising or promoting an agency, organization, or program; and

(B) includes blankets, buttons, candy, clothing, coloring books, cups, fidget spinners, hats, holiday ornaments, jar grip openers, keychains, koozies, magnets, neckties, snuggies, stickers, stress balls, stuffed animals, thermoses, tote bags, trading cards, and writing utensils; and

(C) does not include—

(i) an item presented as an honorary or informal recognition award related to the Armed Forces of the United States, such as a challenge coin or medal issued for sacrifice or meritorious service;

(ii) a brochure or pamphlet purchased or distributed for informational purposes; or

(iii) an item distributed for diplomatic purposes, including a gift for a foreign leader.

(b) Prohibitions.—Public relations and advertising spending—

(1) Prohibitions.—Except as provided in paragraph (3), and unless otherwise expressly authorized by law—

(2) the term "swag"—

(A) means a tangible product or merchandise distributed at no cost with the sole purpose of advertising or promoting an agency, organization, or program; and

(B) includes blankets, buttons, candy, clothing, coloring books, cups, fidget spinners, hats, holiday ornaments, jar grip openers, keychains, koozies, magnets, neckties, snuggies, stickers, stress balls, stuffed animals, thermoses, tote bags, trading cards, and writing utensils; and

(C) does not include—

(i) an item presented as an honorary or informal recognition award related to the Armed Forces of the United States, such as a challenge coin or medal issued for sacrifice or meritorious service;

(ii) a brochure or pamphlet purchased or distributed for informational purposes; or

(iii) an item distributed for diplomatic purposes, including a gift for a foreign leader.

(3) Fund.—Of the amounts made available to the Secretary for administrative expenses to carry out this section, the Secretary shall use to carry out this subsection $500,000.

SA 1901. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1001. MASCOTS, MEDALS, AND SWAG.
(A) an agency or other entity of the Federal Government may not use Federal funds to purchase or otherwise acquire or distribute swag; and

(B) an agency or other entity of the Federal Government may not use Federal funds to manufacture or use a mascot to promote an agency, organization, program, or agenda.

(2) ANNUAL REPORT ON PROJECTS THAT ARE OVER BUDGET AND BEHIND SCHEDULE.—Each agency shall, as part of the annual budget justification submitted to Congress, report on the public relations and advertising spending of the agency for the preceding fiscal year, which may include an estimate of the return on investment for the agency.

(3) EXCEPTIONS.—

(A) SWAG.—Paragraph (1)(A) shall not apply with respect to—

(i) an agency program that supports the mission and objectives of the agency that is initiating the public relations or advertising spending, provided that the spending generates a positive return on investment for the agency;

(ii) recruitment relating to—

(A) enlistment or employment with the Armed Forces; or

(B) employment with the Federal Government;

(iii) an item distributed by the Bureau of the Census to assist the Bureau in conducting censuses of the population of the United States.

(B) MASCOTS.—Paragraph (1)(B) shall not apply with respect to—

(i) a mascot that is declared the property of the United States under a provision of law, including under section 2 of Public Law 93-318 (16 U.S.C. 580p-1); or

(ii) a mascot relating to the Armed Forces of the United States.

(4) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue regulations to carry out this section.

SA 1902. Ms. E R N S T (for herself and Ms. D U C K W O R TH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. ANNUAL REPORT ON PROJECTS THAT ARE OVER BUDGET AND BEHIND SCHEDULE.

(A) DEFINITIONS.—In this section—

(1) the term ‘covered agency’ means—

(A) an Executive agency, as defined in section 105 of title 5, United States Code; and

(B) an independent regulatory agency, as defined in section 552a of title 5, United States Code;

(2) the term ‘covered project’ means a project funded by a covered agency—

(A) that is more than 5 years behind schedule; or

(B) for which the amount spent on the project is not less than $1,000,000,000 more than the original cost estimate for the project; and

(C) in the term ‘project’ means a major acquisition, a major defense acquisition program (as defined in section 2430 of title 10, United States Code), a procurement, a construction project, a remediation or clean-up effort, or any other project that is not funded through direct spending (as defined in section 2504 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(c)).

(1) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue guidance requiring covered agencies to include, on an annual basis in a report described in paragraph (2) of section 3516(a) of title 31, United States Code, or a consolidated report described in paragraph (1) of such section, information relating to each covered project of the covered agency, which shall include—

(1) a brief description of the covered project, including—

(A) the purpose of the covered project; and

(B) each location in which the covered project is carried out;

(2) the contract or award number of the covered project, where applicable; and

(3) the year in which the covered project was initiated;

(E) the Federal share of the total cost of the covered project, as adjusted to reflect increases or decreases in the budget estimate of the covered project, including, where applicable, any impact of insufficient or delayed appropriations; and

(8) the amount of and rationale for any award, incentive fee, or other type of bonus, if any, awarded for the covered project.

SA 1904. Ms. E R N S T submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. DISCLOSURE OF PPP LOANS.

(a) SHORT TITLE.—This section may be cited as the ‘‘Transparency Requirements Aimed at Congressional Expenditures Act’’ or the ‘‘TRACE Act’’.

(b) DISCLOSURE.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended by adding at the end the following:

(1) DISCLOSURE.—In this subparagraph—

(1) the term ‘employee’ means—

(a) the Secretary of the Senate, in the case of the Vice President, a Senator, the spouse of a Senator, or an employee of Congress, whose compensation is disbursed by the Secretary of the Senate; or

(b) the Clerk of the House of Representatives, in the case of a Representative in Congress, a Delegate to Congress, the Resident Commissioner from Puerto Rico, the spouse of a Representative, or an employee of Congress, whose compensation is disbursed by the Chief Administrative Officer of the House of Representatives;

(2) the term ‘employee of Congress’ means an employee of the personal office of a Member of Congress, or a Member of the Senate or the House of Representatives, or of a joint committee of Congress; and

(3) the term ‘Member of Congress’ has the meaning given that term in section 2106 of title 5, United States Code.

(1) DISCLOSURE.—

(1) IN GENERAL.—If an eligible recipient owned or controlled by a Member of Congress, spouse of a Member of Congress, or employee of Congress receives a covered loan, the Member of Congress, spouse of a Member of Congress, or employee of Congress, respectively, shall submit to the applicable officer a financial disclosure, which shall include—

(1) the name and address of the principal place of business for the eligible recipient receiving the covered loan; and

(2) the amount of the covered loan.

(1) DEADLINE.—A Member of Congress, spouse of a Member of Congress, or employee of Congress shall submit the financial disclosure required under subclause (1) —

(ii) for a covered loan made on or after the date of enactment of the TRACE Act, not later than 15 days after the date on which the loan is made; and

(iii) for a covered loan made before such date of enactment, not later than 15 days after such date of enactment.

(1) AVAILABLE.—Each applicable officer shall make available on a publicly available website each financial disclosure submitted to the applicable officer under clause (ii).”.

SA 1905. Ms. E R N S T submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for
military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy; to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 1. VETERANS' HEALTH INITIATIVE. (a) DEFINITIONS.—In this section:
(1) the term ‘‘Department’’ means the Department of Energy.
(2) NATIONAL LABORATORY.—The term ‘‘National Laboratory’’ has the meaning given in title 12 of the Energy Policy Act of 2005 (42 U.S.C. 15601).
(3) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Energy.
(b) PURPOSES.—The purposes of this section are to advance Department expertise in artificial intelligence and high-performance computing in order to improve health outcomes for veteran populations by—
(1) supporting basic research through the application of artificial intelligence, high-performance computing, modeling and simulation, machine learning, and large-scale data analytics to identify and solve outcome-defined challenges in the health sciences;
(2) maximizing the impact of the Department of Veterans Affairs’ health and genomic data sets with variable quality and scale, to improve artificial intelligence, high-performance computing capabilities of the Department;
(3) promoting collaborative research through the establishment of partnerships to improve data sharing between National Laboratories, research entities, and user facilities of the Department; and
(4) developing tools to solve large-scale data analytics and computing, focused on the development of artificial intelligence and high-performance computing systems and large biomedical data sets;
(5) advance existing and construct new data enclaves capable of securely storing data sets provided by the Department of Veterans Affairs, Department of Defense, and other sources.
(c) EQUIPMENT.—The Secretary shall carry out this subsection $27,000,000 for each of fiscal years 2021 through 2025.
(d) COORDINATION.—In carrying out the program established under paragraph (1), the Secretary is authorized—
(1) to enter into memoranda of understanding in order to carry out reimbursable agreements with the Department of Veterans Affairs and other entities in order to maximize the effectiveness of Department research and development to improve veterans’ health care;
(2) to carry out this subsection $15,000,000 for each of fiscal years 2021 through 2025.
(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources a report evaluating the effectiveness of the activities authorized under paragraph (1).
(f) FUNDING.—There are authorized to be appropriated to the Secretary to carry out this subsection $15,000,000 for each of fiscal years 2021 through 2025.

SEC. 1121. AMENDMENTS.

(a) GENERAL.—The Act entitled ‘‘An Act to provide retirement, service, and medical aid for a modern former President of the United States, and for other purposes’’, approved August 25, 1958 (commonly known as the ‘‘Former Presidents Act of 1958’’ 83 U.S. C. 102 note), is amended—
(1) by striking ‘‘That (a) each’’ and inserting the following:
SEC. 1122. AMENDMENTS.

This subtitle may be cited as the ‘‘Presidential Allowance Modernization Act of 2020’’.

SEC. 2. FORMER PRESIDENTS LEAVING OFFICE AFTER PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2020.

(a) ANNUITIES AND ALLOWANCES.—
(1) ANNUTY.—Each modern former President shall be entitled for the remainder of his or her life to receive from the United States an annuity at the rate of $200,000 per year, subject to subsections (b)(2) and (c), to be paid by the Secretary of the Treasury.

SEC. 1123. MODERNIZING THE FORMER PRESIDENTS LEAVE PROGRAM.

The Administrator of General Services is authorized to provide each modern former President a monetary allowance at the rate of $200,000 per year, subject to the availability of appropriations and subsections (b)(2), (c), and (d).

(b) DURATION; FREQUENCY.—
(1) IN GENERAL.—The annuity and allowance under subsection (a) shall each—
(2) APPORTIONABLE OR ELECTIVE POSITIONS.—
(a) shall not be payable for any period during which a modern former President holds an 3

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appointive or elective position in or under the Federal Government to which is attached a rate of pay other than a nominal rate.

"(c) COST-OF-LIVING INCREASES.—Effective December 1 of each year, each annuity and allowance under subsection (a) that commenced before that date shall be increased by the percentage by which the amount under title II of the Social Security Act (42 U.S.C. 401 et seq.) is increased, effective as of that date, as a result of a determination of the Secretary under section 215(a) of that Act (42 U.S.C. 415(d)).

"(d) LIMITATION ON MONETARY ALLOWANCE.—

"(1) IN GENERAL.—Notwithstanding any other provision of this section, the monetary allowance payable under subsection (a)(2) to a modern former President for any 12-month period—

"(A) except as provided in subparagraph (B), may not exceed the amount by which—

"(i) the monetary allowance that but for this subsection would otherwise be so payable for such 12-month period, exceeds (if at all)

"(ii) the applicable reduction amount for such 12-month period; and

"(B) shall not be less than the amount determined under paragraph (4).

"(2) DEFINITION.—

"(A) IN GENERAL.—For purposes of paragraph (1), the term ‘applicable reduction amount’ means, with respect to any modern former President and in connection with any 12-month period, the amount by which—

"(i) the sum of—

"(II) $400,000, subject to subparagraph (C).

"(II) any interest excluded from the gross income of the modern former President for the most recent taxable year for which a tax return was available; and

"(II) any interest excluded from the gross income of the modern former President under section 103 of such Code for such taxable year, exceeds (if at all)

"(ii) $100,000, subject to subparagraph (C).

"(B) joint returns.—In the case of a joint return, subclauses (I) and (II) of subparagraph (A)(i) shall be applied by taking into account both the amounts properly allocable to the modern former President and the amounts properly allocable to the spouse of the modern former President.

"(C) COST-OF-LIVING INCREASES.—The dollar amount under subparagraph (A)(i) shall be adjusted at the same time that, and by the same percentage by which, the monetary allowance of the modern former President is increased under subsection (c) (regarding this subsection).

"(3) DISCLOSURE REQUIREMENT.—

"(A) DEFINITIONS.—In this paragraph—

"(i) the terms ‘return’ and ‘return information’ have the meanings given those terms in section 6109(b) of the Internal Revenue Code of 1986; and

"(ii) the term ‘Secretary’ means the Secretary of the Treasury or the Secretary of the Treasury’s delegate.

"(B) REQUIREMENT.—A modern former President may not receive a monetary allowance under subsection (a)(2) unless the modern former President discloses to the Secretary, upon the request of the Secretary, any return or return information of the modern former President or spouse of the modern former President that the Secretary determines is necessary for purposes of calculating the applicable reduction amount under paragraph (2) of this subsection.

"(C) CONFIDENTIALITY.—Except as provided in section 6103 of the Internal Revenue Code of 1986, including any other provision of law, the Secretary may not, with respect to a return or return information disclosed to the Secretary under subparagraph (B)—

"(i) disclose the return or return information to any entity or person; or

"(ii) use or disclose return information for any purpose other than to calculate the applicable reduction amount under paragraph (2).

"(D) INCREASED COSTS DUE TO SECURITY NEEDS.—With respect to the monetary allowance that would be payable to a modern former President under subsection (a)(2) for any 12-month period but for the limitation under paragraph 1(a) of this subsection, the Administrator of General Services, in coordination with the Director of the United States Secret Service, shall determine the amount of the allowance that is needed to pay the increased cost of doing business that is attributable to the security needs of the modern former President.

"(e) WIDOWS AND WIDOWERS.—The widow or widower of each modern former President shall be entitled to receive from the United States a monetary allowance at a rate of $100,000 per year (subject to paragraph (4)), payable monthly by the Secretary of the Treasury, if such widow or widower shall have attained the age of 62, or such other age or annuity or pension to which she or he is entitled under any other Act of Congress. The monetary allowance of such widow or widower—

"(1) commences on the day after the modern former President dies;

"(2) terminates on the last day of the month before such widow or widower dies;

"(3) is not payable for any period during which such widow or widower holds an appointive or elective office or position in or under the Federal Government to which is attached a rate of pay other than a nominal rate; and

"(4) shall, after its commencement date, be increased at the same time that, and by the same percentage by which, the monetary allowances of modern former Presidents are increased under subsection (c).

"(f) DEFINITION.—In this section, the term ‘modern former President’ means a person—

"(1) who shall have held the office of President of the United States of America;

"(2) whose service in that office shall have terminated—

"(A) other than by removal pursuant to section 4 of article II of the Constitution of the United States; and

"(B) after the date of enactment of the Presidential Allowance Modernization Act of 2020; and

"(3) who does not then currently hold such office.

"(g) TECHNICAL AND CONFORMING AMENDMENTS.—The Former Presidents Act of 1958 is amended—

"(1) in section 1(c)(2), as designated by this section—

"(A) by striking ‘terminated other than’ and inserting the following: ‘terminated:—

"(A) ‘other than’; and

"(B) by adding at the end the following:

"(B) on or before the date of enactment of the Presidential Allowance Modernization Act of 2020; and

"(2) in section 3, as redesignated by this section—

"(A) by inserting after the section enumberator the following: ‘AUTHORIZATION OF APPROPRIATIONS.’; and

"(B) by inserting ‘or modern former President’ after ‘modern former President’ each place that term appears.

SEC. 1123. RULE OF CONSTRUCTION.

Nothing in this subtitle or an amendment made by this subtitle shall be construed to affect—

"(1) any provision of law relating to the security or protection of a former President or modern former President, or a member of the family of a former President or modern President; or

"(2) funding, under the Former Presidents Act of 1958 or any other Act, any other Act or any provision of law described in paragraph (1).

SEC. 1124. APPLICABILITY.

Section 2 of the Former Presidents Act of 1958 is amended by section 1122(a)(3) of this subtitle, shall not apply to—

"(1) any individual who is a former President on the date of enactment of this Act; or

"(2) the widow or widower of an individual described in paragraph (1).

SA 1908. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. . . . REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES ON DIVERSITY AND INCLUSION WITHIN THE CIVILIAN WORKFORCE OF THE DEPARTMENT OF DEFENSE.

"(a) IN GENERAL.—Not later than 1 year after enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on issues related to diversity and inclusion within the civilian workforce of the Department of Defense.

"(b) ELEMENTS.—The report required by subsection (a) shall include the following:

"(1) A description of the demographic composition of the civilian workforce of the Department of Defense.

"(2) An assessment of any differences in promotion outcomes among demographic groups of the civilian workforce of the Department.

"(3) An assessment of the extent to which the Department has identified barriers to diversity in its civilian workforce.

SA 1908. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

SEC. . . . NATIONAL INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRIAL BASE STRATEGY.

"(a) STRATEGY.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and once every 4 years thereafter, the President shall coordinate with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Commerce, the Secretary of State, and the Director of National Intelligence, and consult with private sector entities, to develop a comprehensive national strategy for the information and communications technology (ICT) industrial base for the following 4-year period, or a longer period, if appropriate.

"(2) ELEMENTS.—The strategy required under paragraph (1)—

"(A) delineate a national ICT industrial base strategy consistent with—
SEC. 1. PILOT PROGRAM ON CONTROLLED CAPTURE IMAGE VERIFICATION TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of the Defense Advanced Research Projects Agency, shall establish a pilot program on controlled capture image verification technology integrated into smartphones.

(b) PURPOSE.—The purpose of the pilot program is to collect information on the following:

(1) Risk and cost reduction in information gathering in both permissive and nonpermissive environments.

(2) Risk and cost reduction in program or project monitoring and evaluation in both permissive and nonpermissive environments.

(3) Reducing the risk of malicious visual disinformation created by artificial intelligence on United States and global security interests, including global disinformation dissemination.

(c) EVALUATION METRICS.—In establishing the pilot program under subsection (a), the Secretary shall, in consultation with the Director, establish metrics to evaluate the effectiveness of the pilot program.

(d) TERMINATION OF PILOT PROGRAM.—The pilot program under subsection (a) shall terminate not later than 4 years after the date of the enactment of this Act.

(e) FINAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the completion of the pilot program under subsection (a), the Secretary shall submit to the Congress a report on the effectiveness of the pilot program, including risk and cost reduction in:

(i) information gathering in both permissive and nonpermissive environments;

(ii) program or project monitoring and evaluation in both permissive and nonpermissive environments;

(iii) malicious synthetic media on United States and global security interests, including global disinformation dissemination; and

(iv) evaluation of costs of, or alternatives to, this specific technology and protection of personal information.

(2) INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The report required by subparagraph (1) shall include the following:

(A) A description of the pilot program.

(B) A description of the evaluation metrics established under subsection (c).

(C) An assessment of the effectiveness of the pilot program, including risk and cost reduction in:

(i) information gathering in both permissive and nonpermissive environments;

(ii) program or project monitoring and evaluation in both permissive and nonpermissive environments;

(iii) malicious synthetic media on United States and global security interests, including global disinformation dissemination; and

(iv) evaluation of costs of, or alternatives to, this specific technology and protection of personal information.

(D) An assessment of the cost of the pilot program and an estimate of the cost of making the pilot program a permanent part of the budget of the Department of Defense.

(E) Such recommendations for legislative or administrative actions as the Secretary considers appropriate in light of the pilot program, including recommendations for extending or making permanent the authority for the pilot program.

SA 1989. Mr. WARNER submitted an amendment intended to be proposed by him in the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes: which was ordered to lie on the table; as follows: At the appropriate place in title II, insert the following:

SEC. 2. STUDY ON ALTERNATIVES AND RECOMMENDATIONS FOR PROVIDING A CYBER PROTECTION PROGRAM FOR THE DEFENSE INDUSTRIAL BASE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to explore alternatives and recommend a cyber protection program for the defense industrial base.

(b) ASSESSMENT.—The study conducted under subsection (a) shall include an assessment of the viability and affordability of various options for securing Department of Defense information and defense industrial base development environments, including the roles of the Department members of the defense industrial base, and commercial cyber security industry in providing the following effective security capabilities for the defense industrial base.

(c) ELEMENTS.—At a minimum, the study required by subsection (a) shall include the following:

(1) GLOBAL SECURITY OPERATIONS CENTER.—Consideration of a global security operations center, including the following:

(A) Assessment of the feasibility (technical, policy, cost, and etceteras) of offering voluntary cybersecurity defense industrial base protection via a managed global security operations center model. Options considered shall include Department management and provision of [SIOC] services or contracting to private industry for managed security services devoted exclusively to the defense industrial base.

(B) Determination of minimum functions to be provided and whether those functions are either met by existing defense industrial base entities or not. Possible functions considered shall include threat intelligence, cyber situation monitoring, development and testing of advanced analytics, alerting and incident response, and coordination with other SOCs and computer security incident response teams (CSIRTs).

(2) REDUCED-RATE LICENSING FOR COMMERCIAL CYBER SECURITY PRODUCTS THAT MEET NIST MANDATORY CYBER SECURITY CRITERIA.—Consideration of a reduced-rate licensing for commercial cyber security products that meet minimum compliance with National Institute of Standards and Technology special publication 800-171, including the following:

(A) Estimation of the cost and identification of the advantages and disadvantages of having the Department subsidize the cost of advanced cybersecurity tools to protect the unclassified networks of defense industrial base security operations.

(B) Studies of defense industrial base development offerings, including the following:

(i) computer security incident response teams (CSIRTS).

(ii) An evaluation of any economies of scale cost benefits and reduced compliance barriers for the defense industrial base by using reduced-rate licensing to improve cybersecurity posture.

(iii) Secure hosting and access to development environments and data.—Consideration of secure hosting and access to development environments and data, including secure cloud environments and software development offerings, including the following:

(A) Requiring contractors to provide secure systems and connectivity to all subcontractors.
At the appropriate place in subtitle B of title XVI, insert the following:

SEC. 737. STUDY AND REPORT ON CONTRACTS AWARDED TO MINORITY-OWNED AND WOMEN-OWNED SMALL BUSINESSES.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the number and types of contracts for the procurement of goods or services for the Department of Defense awarded to minority-owned and women-owned businesses during fiscal year [2021] 2022 and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. 738. PLAN FOR ESTABLISHING AN ELEMENT OF THE INTELLIGENCE COMMUNITY WITHIN THE UNITED STATES SPACE FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security, in coordination with the Secretary of the Air Force and the Chief of Space Operations, shall submit to the appropriate committees of Congress a plan for establishing an element of the intelligence community within the United States Space Force.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) Creation of an element of the intelligence community within the United States Space Force.

(2) Increased access to national and international intelligence centers related to space matters.
(2) Identification of the documents that will establish the element and center.
(3) The authorities, personnel, resources, and physical infrastructure required from the National Intelligence Program and the Military Intelligence Program.
(4) The effects on the Air Force element of the intelligence community and the National Intelligence Council.
(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of this section, the term “appropriate committees of Congress” means—
(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and
(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SA 1916. Mr. HEINRICH (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1003. MANDATORY TRANSFER.

(a) SHORT TITLE.—This section may be cited as the “Cybersecurity State Coordinator Act of 2020”.

(b) CYBERSECURITY STATE COORDINATOR.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Defense may develop a training and certification program on software development, data science, and artificial intelligence tailored to the needs of the covered human resources workforce of the Department of Defense.

(2) ELEMENTS.—The program course required shall—

(A) provide a generalist’s introduction to software development and business processes, data management practices relating to machine learning, deep learning, artificial intelligence, and artificial intelligence workforce roles; and

(B) address hiring options and processes available for software developers, data scientists, and artificial intelligence professionals, including direct hiring authorities, excepted service authorities, the Intergovernmental Personnel Act of 1970 (42 U.S.C. 7401 et seq.), and authorities for hiring special government employees and highly qualified experts.

(3) OBJECTIVE.—It shall be the objective of the Department to provide the training under the program developed pursuant to paragraph (1) to the covered human resources workforce in such a manner that—

(A) in the first year, 20 percent of the workforce is certified as having successfully completed the training; and

(B) thereafter, an additional 10 percent of the workforce is so certified.

(c) COVERED HUMAN RESOURCES WORKFORCE.—In this section, the term “covered human resources workforce” means human resources professionals, hiring managers, and recruiters who are or will be responsible for hiring software developers, data scientists, or artificial intelligence professionals.

SA 1917. Ms. HASSAN (for herself, Mr. CORNYN, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2215. CYBERSECURITY STATE COORDINATOR ACT.

(a) SHORT TITLE.—This section may be cited as the “Cybersecurity State Coordinator Act of 2020”.

(b) CYBERSECURITY STATE COORDINATOR.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act (2 U.S.C. 651 et seq.) is amended—

(A) in section 2202(c) (6 U.S.C. 652(c))—

(i) in paragraph (10), by striking “and” and inserting “; and”;

(ii) by redesignating paragraph (11) as paragraph (12); and

(iii) by inserting after paragraph (10) the following:

“(11) appoint a Cybersecurity State Coordinator in each State, as described in section 2215; and”;

(B) not later than 2 years after providing for each year thereafter, an additional 0.1 percent of the funds authorized by paragraph (1) to—

(1) provide a generalist’s introduction to software development and business processes, data management practices relating to machine learning, deep learning, artificial intelligence, and artificial intelligence workforce roles;

(2) address hiring options and processes available for software developers, data scientists, and artificial intelligence professionals, including direct hiring authorities, excepted service authorities, the Intergovernmental Personnel Act of 1970 (42 U.S.C. 7401 et seq.), and authorities for hiring special government employees and highly qualified experts;

(3) objectives—It shall be the objective of the Department to provide the training under the program developed pursuant to paragraph (1) to the covered human resources workforce in such a manner that—

(A) in the first year, 20 percent of the workforce is certified as having successfully completed the training; and

(B) thereafter, an additional 10 percent of the workforce is so certified.

(c) COVERED HUMAN RESOURCES WORKFORCE.—In this section, the term “covered human resources workforce” means human resources professionals, hiring managers, and recruiters who are or will be responsible for hiring software developers, data scientists, or artificial intelligence professionals.

SA 1918. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1003. MANDATORY TRANSFER.

Notwithstanding any other provision of law, the Secretary of the Treasury shall reserve 0.1 percent of the funds authorized to be appropriated under this division for fiscal year 2021 from the Department of Defense to the Department of State for educational and cultural exchange program expenses.

SA 1919. Mr. SANDERS (for himself, Mr. LEE, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

PROHIBITION ON SUPPORT OR MILITARY PARTICIPATION AGAINST THE HOUTHI IN YEMEN.

(a) Prohibition on support.—

SEC. 2215. Cybersecurity State Coordinator.
provide United States support for Saudi-led or United Arab Emirates-led coalition forces against the Houthis in Yemen, including for any of the following:

(1) Intelligence-gathering or logistical support activities for coalition airstrike

(2) Maintenance and spare parts transfers to warplanes engaged in anti-Houthi bombings.

(b) Prohibition relating to military participation.—None of the funds authorized to be appropriated by this Act may be made available for any uniformed member of the armed forces of the United States to participate in the movement of, or accompany the regular or irregular military forces of the Saudi-led and United Arab Emirates-led coalition forces in hostilities against the Houthis in Yemen or in situations in which there exists an imminent threat that such coalition forces become engaged in such hostilities, unless and until the President has obtained specific statutory authorization, in accordance with section 8(a) of the War Powers Resolution (50 U.S.C. 1547(a)).

SA 1920. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. ESTABLISHING A NATIONAL PROGRAM TO DISTRIBUTE FACE MASKS DURING THE COVID-19 EMERGENCY.

(a) Establishment of program.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the President, acting through the Administrator, in coordination with the Secretary, the Postmaster General, and the heads of any other relevant Federal agencies, and in consultation with Governors and appropriate labor unions, shall establish a program to provide, and deliver through the United States Postal Service, a monthly supply of face masks, free of charge, to every individual resident in the United States, until the date described in paragraph (4).

(2) ADDITIONAL DELIVERIES.—In developing the program under paragraph (1), the President, acting through the Administrator, in coordination with the Secretary, shall work with States and units of local government to ensure a monthly supply of masks is provided to individuals who do not receive masks that are delivered to households by the United States Postal Service, including—

(A) all individuals who are experiencing homelessness;

(B) all individuals who are living in group quarters, as defined by the Census Bureau for the purposes of the most recent decennial census.

(3) PROHIBITION ON IDENTIFICATION REQUIREMENT.—The program developed under paragraph (1) shall not require any individual in the United States to provide identification or proof of citizenship in order to receive masks.

(4) DATE DESCRIBED.—The date described in this subsection is the date on which new cases of COVID-19 are reported in the United States for a period of not less than 14 consecutive days.

(b) SMALL CITIES AUTHORITY.—

(1) IN GENERAL.—To carry out this section, the President shall make use of any and all available authorities at the disposal of the Federal Government to procure, manufacture, and support the domestic manufacturing of face masks, including emergency authorities under the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) REQUIREMENT.—Any face masks procured or manufactured for purposes of carrying out this section shall be purchased in accordance with Federal Acquisition Regulation guidance on fair and reasonable pricing.

(c) PENDING.—

(1) APPROPRIATION.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, $75,000,000,000 to the Administrator for this section.

(2) LIMITATION.—No funds made available under this subsection shall be provided to—

(A) any person who is a Federal elected official or serving in a Senior Executive Service position; or

(B) any entity that is controlled in whole or in part by a Federal elected official or serving in a Senior Executive Service position.

(3) EMERGENCY DESIGNATION.—

(A) IN GENERAL.—The amounts provided under this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933).

(B) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

(d) REPORTS TO CONGRESS.—Beginning 7 days after the date of enactment of this Act, and every 7 days thereafter until the date described in subsection (a)(4), the Administrator and the Secretary shall jointly submit to Congress a report on the implementation of and activities authorized by this section, including—

(1) detailed plans to establish and implement the program required under this section;

(2) information on—

(A) the use of funds under this section;

(B) the current supply of face masks, and the sources of such masks;

(C) the distribution of face masks by State, geographic area, and need;

(D) the prices paid by the Federal Government and to which suppliers such amounts were paid; and

(3) any other information requested by Congress.

(e) EFFECT ON STATE REQUESTS FOR PPE.—Any face masks delivered under this section shall not be taken into account for purposes of the Federal Government responding to State or health provider requests for personal protective equipment or other supplies related to COVID-19.

(f) REQUIRED CONSULTATION.—The consultation with appropriate labor unions required under subsection (a)(1) shall include consultation with labor organizations representing employees of the United States Postal Service, including regarding the safety of such employees who carry out the activities authorized under this section.

(g) EXCESS MASKS.—Any face masks in the possession of the Federal Emergency Management Agency, the Department of Health and Human Services for purposes of carrying out this section that have not been distributed shall be added to the strategic national stockpile.

(h) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Federal Emergency Management Agency.

(2) FACE MASK.—The term "face mask" means—

(A) a surgical mask; or

(B) if there is a shortage of surgical masks, a tight-fitting cloth mask.

(i) USE OF AUTHORIZED.—The term "Indian Tribe" has the meaning given the term "Indian tribe" in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(j) MONTHLY SUPPLY.—The term "monthly supply" means not less than 5 face masks per month per individual.

(k) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(l) SENIOR EXECUTIVE SERVICE POSITION.—The term "Senior Executive Service position" has the meaning given that term in section 3132(a) of title 5, United States Code.

(m) UNITED STATES.—The term "United States" means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau;

(J) the United States Virgin Islands; and

(K) each Indian Tribe.

SA 1921. Mr. MERKLEY (for himself, Mr. CORNYN, Mr. MARKEY, Mr. SCOTT of Florida, Mr. CARDIN, Mr. GARDNER, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. CERTIFICATION REQUIRED FOR TERMINATION OF PROHIBITION ON COMMERCIAL EXPORT OF CERTAIN MUNITIONS TO HONG KONG POLICE FORCE.

Section 3 of the Act entitled “An Act to prohibit the commercial export of covered munitions items to the Hong Kong Police Force”, approved November 27, 2019 (Public Law 116-77; 133 Stat. 1174), is amended to read as follows:

“SEC. 3. CERTIFICATION REQUIRED FOR TERMINATION.

“The prohibition under section 2 shall remain in effect until the date on which the Secretary of State submits to Congress under section 205 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725) a certification that indicates that Hong Kong continues to warrant treatment under United States law in the same manner as United States laws were applied to Hong Kong before July 1, 1997.”

SA 1922. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military
personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. PREVENTING SAUDI ARABIAN DIPLOMATS FROM AIDING AND ABETTING FLIGHTS FROM JUSTICE.

(a) DETERMINATION ON FLIGHTS FROM JUSTICE.—Not later than 90 days after the date of the enactment of this Act, the President shall determine whether any citizen of Saudi Arabia who enjoys diplomatic immunity from prosecution in the United States has assisted in the unlawful removal of any national of Saudi Arabia in the United States for the purposes of evading criminal prosecution or otherwise evading a criminal sentence in the United States.

(b) PENALTIES.—If the determination required under subsection (a) concludes that one or more officials of the Government of Saudi Arabia has aided, abetted, or assisted in the unlawful removal of a national of Saudi Arabia from the United States or has harbored a national of Saudi Arabia in the United States for the purpose of avoiding criminal prosecution or evading law enforcement authorities, any such official shall be subject to the following:

(1) The submittal of a request for a waiver of immunity from the United States to Saudi Arabia for the purposes of pursuing criminal prosecution or obtaining extradition.

(2) A declaration that such official is persona non grata and is expelled from the United States, without replacement of that position.

(c) ADDITIONAL SANCTIONS IMPOSED BY PRESIDENT.—If the determination required under subsection (a) concludes that one or more officials of the Government of Saudi Arabia has aided, abetted, or assisted in the unlawful removal of a national of Saudi Arabia from the United States or has harbored a national of Saudi Arabia in the United States for the purpose of avoiding criminal prosecution or evading law enforcement authorities, the President may enforce any of the following penalties:

(1) DENIAL OF USE OF CERTAIN DIPLOMATIC FACILITIES.—Notwithstanding any other provision of law, the President may deny access to, and the right to any government of Saudi Arabia or of the, Saudi-owned diplomatic facilities and properties located at the following addresses:

(A) 2445 Sawtelle Boulevard, Los Angeles, California.

(B) 6500 Hilltop Road, Fairfax, Virginia.

(2) SUSPENSION OF FLIGHTS TO AND FROM THE UNITED STATES BY SAUDI ARABIAN AIR CARRIERS.—

(A) SUSPENSION OF OPERATING PERMIT.—

(I) IN GENERAL.—Notwithstanding any agreement between the United States and Saudi Arabia relating to air services, the President may suspend the permit of a foreign air carrier owned or controlled, directly or indirectly, by the government of Saudi Arabia to operate in foreign air transportation under chapter 413 of title 49, United States Code.

(II) SUSPENSION OF OPERATING PERMIT.—

Upon termination of an agreement under clause (i), the Secretary of Transportation may take such measures as may be necessary to suspend the permit on the earliest possible date.

(B) SUSPENSION OF AIR SERVICE AGREEMENT.—

(I) IN GENERAL.—The President may direct the Secretary of State to terminate any agreement between the United States and Saudi Arabia relating to air services in accordance with the provisions of the agreement.

(II) SUSPENSION OF OPERATING PERMIT.—

Upon termination of an agreement under clause (i), the Secretary of Transportation may take such measures as may be necessary to revoke, on the earliest possible date, the permit of any foreign air carrier owned or controlled, directly or indirectly, by the Government of Saudi Arabia to operate in foreign air transportation under chapter 413 of title 49, United States Code.

(C) EXCEPTIONS.—The Secretary of Transportation may provide for such exceptions to subparagraphs (A) and (B) as the Secretary considers necessary to address emergencies in which the safety of an aircraft or the crew or passengers on an aircraft is threatened.

(D) FOREIGN AIR CARRIERS AND FOREIGN AIR TRANSPORTATION DEFINED.—In this paragraph, the terms "foreign air carrier" and "foreign air transportation" have the meanings given them in section 10102(a) of title 49, United States Code.

(3) IMPOSITION OF SANCTIONS.—

(A) IN GENERAL.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign official described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or become subject to the jurisdiction of the United States.


(C) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(I) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(II) GOOD DEFINED.—In this subparagraph, the term "good" means any article, natural or manmade substance, material, supply, or commodity, including manufactured goods, manufactured product, including inspection and test equipment, and excluding technical data.

(4) IMPLEMENTATION; PENALTIES.—

(I) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 202 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out the provisions of this paragraph.

(II) PENALTIES.—The penalties under subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of subparagraph (A), or any regulation, license, or order issued to carry out that subparagraph, to the same extent and in the same manner as penalties apply to a person that commits an unlawful act described in subsection (a) of such section.

SA 1923. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATION SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

SA 1924. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATION SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

SA 1925. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATION SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

SA 1926. UNITED STATES STRATEGY WITH RESPECT TO THE NUCLEAR FORCES OF PEOPLE'S REPUBLIC OF CHINA.

(a) STATEMENT OF POLICY.—The President shall submit to the appropriate congressional committees a strategy that members will not acquire defense technology incompatible with the security of NATO systems.

(b) STRATEGY REQUIRED.—

(I) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a strategy with respect to the nuclear forces of the People's Republic of China.

(2) ELEMENTS OF STRATEGY.—The strategy required by paragraph (1) shall include the following:

(A) Updates to the tailored strategy for the People’s Republic of China articulated in the 2018 Nuclear Posture Review.

(B) Objectives of strategic stability and arms control dialogues with the People's Republic of China.

(c) AMENDMENT.—The U.S. Mission to the People’s Republic of China, after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Energy, to prescribe military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATION SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

(b) Objectives of strategic stability and arms control dialogues with the People’s Republic of China.

The U.S. Mission to the People’s Republic of China, after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Energy, to prescribe military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATION SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

(b) Objectives of strategic stability and arms control dialogues with the People’s Republic of China.

The U.S. Mission to the People’s Republic of China, after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Energy, to prescribe military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATION SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

(b) Objectives of strategic stability and arms control dialogues with the People’s Republic of China.
(E) Consideration of actions the United States takes in response to unilateral actions by the People's Republic of China on issues related to strategic stability.

(G) An assessment of whether sufficient personnel are dedicated to strategic stability and arms control with the People's Republic of China.

(H) A description of the steps required to negotiate a bilateral or multilateral arms control agreement with the People's Republic of China.

(3) NOT LESS THAN 2 YEARS.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(4) STUDY REQUIRED.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of a study on avoiding inadvertent nuclear war with the People's Republic of China.

(2) ELEMENTS OF STUDY.—The study required by paragraph (1) shall, at a minimum—

(A) provide a detailed description of the current composition of the nuclear forces of the People's Republic of China, including the quantity of nuclear warheads and nuclear-capable delivery systems, as well as anticipated changes in strategic stability over the next two fiscal years;

(B) assess the nuclear doctrine of the People's Republic of China;

(C) identify potential pathways to inadvertent escalation to nuclear war.

(3) SUBMISSION TO DEPARTMENT OF DEFENSE.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Secretary a report containing the results of the study conducted under that paragraph.

(4) SUBMISSION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the report required by paragraph (3), without making any changes.

PHOPPEL CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1926. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1286. REQUIRING REVIEW OF U.S. ARMED FORCES INTO HOSTILITIES WITH RESPECT TO VENEZUELA.

(a) SHORT TITLE.—This section may be cited as the "Prohibiting Unauthorized Military Action in Venezuela Resolution of 2020."
Mr. SCHUMER, Mr. VAN HOLLEN, Ms. WARREN, Mr. MARKEY, and Mr. MANCHIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 5399. SHORT TITLE.

This part may be cited as the "Military Justice Improvement Act of 2020''.

SEC. 539A. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30(a) of the Uniform Code of Military Justice) on the preferal of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) MILITARY DEPARTMENT.—With respect to offenses under chapter 47 of the Uniform Code of Military Justice, the Secretary of Defense shall recommend such charges as authorized by section 827 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(3) A determination under paragraph (1) to refer charges or refer charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(b) COVERED OFFENSES.—An offense specified in this subsection is an offense as follows:

(1) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(2) A conspiracy to commit an offense specified in paragraph (1) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(3) A solicitation to commit an offense specified in paragraph (1) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) EXCLUDED OFFENSES.—Subsection (a) does not apply to an offense as follows:

(1) An offense under section 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice), but not an offense under section 89a or 117a of the Uniform Code of Military Justice (or the offense of child pornography, negligent homicide, indecent conduct, or pandering and prostitution as punishable under the general punitive article in 934 of such title (article 134 of the Uniform Code of Military Justice)).

(2) An offense under section 922a, 923, or 923a of title 10, United States Code (articles 122a, 123, and 123a of the Uniform Code of Military Justice).

(3) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(d) REQUIREMENTS AND LIMITATIONS.—The determinations authorized by subsection (a) shall be subject to the following:

(1) The determination whether to prefer such charges or refer such charges to a court-martial for trial, as applicable, shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who have significant experience in trials by general or special court-martial; and

(2) Are outside the chain of command of the member subject to such charges.

(e) MANUFACTURING OR SELLING HAZARDOUS AND A POLLUTANT OR CONTAMINANT.

SA 1932. Mrs. GILLIBRAND (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

PART III—DISPOSITION OF CHARGES AND CONVENING OF COURTS-MARTIAL FOR CERTAIN UCMJ OFFENSES

SEC. 2701. TREATMENT OF PERFLUOROCETANE SULFONATE AND PERFLUOROOCTANOIC ACID AS A HAZARDOUS AND A POLLUTANT OR CONTAMINANT.

Section 2701(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) PFOS and PFOA contamination.—For purposes of this subsection, perfluorocetane sulfonate and perfluorooctanoic acid shall be deemed to be hazardous and a pollutant or contaminant."

SA 1932. Mrs. GILLIBRAND (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

PART III—DISPOSITION OF CHARGES AND CONVENING OF COURTS-MARTIAL FOR CERTAIN UCMJ OFFENSES

SEC. 5399. SHORT TITLE.

This part may be cited as the "Military Justice Improvement Act of 2020''.

SEC. 539A. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the preferal of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) MILITARY DEPARTMENT.—With respect to offenses under chapter 47 of the Uniform Code of Military Justice, the Secretary of Defense shall recommend such charges as authorized by section 827 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(3) A determination under paragraph (1) to refer charges or refer charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(4) The determination under paragraph (1) not to refer charges to a general or special court-martial for trial shall not operate to terminate or otherwise render any authority of commanding officers to refer charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 21 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(e) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this section shall be construed to alter or amend, disallow, dispose, or referral authority of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(f) POLICIES AND PROCEDURES.—

(1) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this section.

(2) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly promulgate the policies and procedures revised under this subsection in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(g) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall make such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this section.
SEC. 539B. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OR PENALTY OF MORE THAN ONE YEAR.

(a) In General.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following paragraph (8):

"(8) with respect to offenses to which section 539A(a) of the Military Justice Improvement Act of 2020 applies, the officers in the officer personnel lists pursuant to section 539B(c) of that Act or officers in the grade of O-6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard;"

(b) Effect of Brevity by Officers in Chain of Command of Accused or Victim.—Such section (article) is further amended by adding at the end the following new subsection:

"(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim."

(c) Offices of Chiefs of Staff on Courts-Martial.—

(1) OFFICERS REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 539A applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of court-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be specified or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence as of the effective date for this part specified in section 539E.

SEC. 539C. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) In General.—The Secretary of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 539A and 539B using personnel, funds, and resources otherwise authorized by law.

(b) No Authorization of Additional Personnel or Resources.—Sections 539A and 539B shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.
SA 1934. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7. LIST OF CRITICAL DRUGS FOR DEPARTMENT OF DEFENSE.

(a) In general.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a list of critical drugs for the Department of Defense compiled by the Director of the Defense Logistics Agency, in coordination with the Director of the Defense Health Agency.

(b) Drug defined.—In this section, the term ‘drug’ has the meaning given that term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

SA 1935. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7. STUDY ON HEALTH READINESS CON-TRACTS OF DEPARTMENT OF DEFENSE TO ASSESS RELIANCE ON FOREIGN SOURCES OF ACTIVE PHARMACEUTICAL INGREDIENTS, DRUGS, AND MEDICAL DEVICES.

(a) Study to be conducted.—Not later than 18 months after the date of the enactment of this Act, the Director of the Defense Logistics Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives the results of a study on contracts entered into by the Director relating to health readiness of the Armed Forces to assess—

(1) the reliance by the Department of Defense on foreign sources of active pharmaceutical ingredients, drugs, and medical devices; and

(2) the redundancy planning of the Department to mitigate shortages of drugs and medical devices.

(b) Definitions.—In this section:

(1) Drug.—The term ‘drug’ has the meaning given that term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(2) Medical device.—The term ‘medical device’ has the meaning given the term ‘device’ in such section 201.

SA 1936. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7. PILOT PROGRAMS ON REMOTE PRO-TECTIVE TECHNIQUES FOR NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARDS OF OTHER STATES OF TECHNICAL AS-SSISTANCE IN TRAINING, PREPARA-TION, AND RESPONSE TO CYBER IN-CIDENCE.

(a) Pilot programs authorized.—The Secretary of the Army and the Secretary of the Air Force, in consultation with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of a capability within the National Guard through which a National Guard of a State remotely provides State governments and National Guards of other States (whether or not in the same Armed Forces as the providing National Guard) with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall establish such program and the Secretary shall define the term ‘Secretary’ for purposes of this section, and any reference in this section to ‘the pilot program’ shall be treated as a reference to the pilot program conducted by such Secretary.

(b) Assessment prior to commencement.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program under subsection (a), in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program:

(1) conduct an assessment of—

(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a); and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

(c) Establishment of pilot program under subsection (a) shall include the following:

(A) A technical capability that enables the National Guard remotely to provide cybersecurity technical assistance to State governments and National Guards of other States, without the need to deploy outside its home defensive area.

(B) Policies, processes, procedures, and authorities for use of such a capability, including with respect to the following:

(i) The relationships of both requesting and deploying State governments and National Guards with respect to such technical assistance, taking into account the matters specified in subsection (f).

(ii) Necessary updates to the Defense Cyber Incident Coordinating Procedure, or any other applicable Department of Defense instructions, for purposes of implementing the capability.

(C) Program management and governance structures for deployment and maintenance of the capability described in paragraph (1).

(D) Security when performing remote support, including such matters as authentication and remote sensing.

(E) The coordination with the Chief of the National Guard Bureau and the Secretary of Homeland Security and in consultation with the Director of the Federal Bureau of Investigation, other Federal agencies, and appropriate non-Federal entities, of at least one exercise to demonstrate the capability, which exercise shall include the following:

(1) Participation of not fewer than two State governments and their National Guards.

(2) Circumstances designed to test and validate the policies, processes, procedures, and authorities developed pursuant to paragraph (1).

(C) An after action review of the exercise.

(d) Use of existing technology.—An administering Secretary may use an existing platform, technology, or capability to provide the capability described in subsection (a) under the pilot program.

(e) Eligibility and participation requirements.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(f) Construction with certain current authorities.—

(1) Command authorities.—Nothing in a pilot program under subsection (a) may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) Emergency management assistance compact.—Nothing in a pilot program may be construed as affecting or altering any current agreements under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the future content of any such agreement.

(g) Evaluation.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and the Secretary of Homeland Security, establish metrics to evaluate the effectiveness of the pilot program.

(h) Term.—A pilot program under subsection (a) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(i) Reports.—

(1) Initial report.—Not later than 180 days after the date of the commencement of the pilot program, the administering Sec-
the making of the pilot program permanent with an expansion nationwide.

(G) An estimate of the costs of making the pilot program permanent and expanding it nationwide in accordance with the recommendation in subparagraph (F).

(H) Such recommendations for legislative or administrative action as the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Armed Services of the Senate, and the Committee on Homeland Security of the House of Representatives think appropriate.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(4) STATE DEFINED.—In this section, the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SA 1937. Mr. PETERS (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for certain activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. AMENDMENTS TO THE PANDEMIC RESPONSE ACCOUNTABILITY COMMISSION.

(a) APPROPRIATIONS.—Title V of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended, in the matter under the heading “PANDEMIC RESPONSE ACCOUNTABILITY COMMISSION” under the heading “INDEPENDENT AGENCIES”, by striking “funds provided in this Act” and inserting “covered funds and the Commission (as those terms are defined in paragraphs (6) and (7), respectively, of section 15010(a) of this Act), including emergency”.

(b) APPOINTMENT OF CHAIRPERSON.—Section 15010(c) of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended—

(1) in paragraph (1), by striking “and (D)” and inserting “(D), and (E)”;

(2) in paragraph (2)(E), by inserting “of the Council” after “Chairperson”;

(c) DEFINITION OF COVERED FUNDS.—Section 15010(a)(6) of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended—

(1) in subparagraph (A), by striking “this Act” and inserting “notwithstanding any other provision of law, including any regulation, upon the request of any committee or subcommittee of Congress, the Director shall transmit to Congress information and views on the functions, responsibilities, or other matters relating to the Office of Government Ethics.”;

(2) by inserting “(b) THE DIRECTOR.—The Director may transmit information and views under subsection (a) without review, clearance, or approval by any administrative authority.”;

SA 1938. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for certain activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. OFFICE OF GOVERNMENT ETHICS INFORMATION.

Section 406 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended to read as follows:

“SEC. 406. TRANSMITTING INFORMATION TO CONGRESS.

“(a) IN GENERAL.—Notwithstanding any other provision of law, including any regulation, upon the request of any committee or subcommittee of Congress, the Director shall transmit to Congress information and views on the functions, responsibilities, or other matters relating to the Office of Government Ethics.

“(b) REQUIREMENT.—The Director may transmit information and views under subsection (a) by report, testimony, or otherwise.

“(c) WITHOUT REVIEW.—The Director shall transmit information and views to Congress under subsection (a) without review, clearance, or approval by any administrative authority.”

SA 1939. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. GUIDANCE ON HOW TO PREVENT EXPOSURE TO AND RELEASE OF PFAS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, the Director of the National Institute for Occupational Safety and Health, and the heads of any other relevant agencies, shall—

(1) develop and publish guidance for firefighters and other emergency response personnel to refer to in developing education programs, and best practices to—

(A) reduce the exposure to per- and polyfluoroalkyl substances (commonly referred to as “PFAS”) from firefighting foam and personal protective equipment; and

(B) limit or prevent the release of PFAS from firefighting foam into the environment; and

(2) inform and update firefighters and other emergency response personnel on alternative foams, personal protective equipment, and other firefighting tools and equipment that do not contain PFAS; and

(3) create an online public repository, which shall be updated on a regular basis, on tools and best practices for firefighters and other emergency response personnel to reduce, limit, and prevent the release of and exposure to PFAS.

(b) REQUIRED CONSULTATION.—In developing the guidance required under subsection (a), the Administrator of the Federal Emergency Management Agency shall consult with appropriate interested entities, including—

(1) firefighters and other emergency response personnel, including national fire service and emergency response organizations;

(2) impacted communities dealing with PFAS contamination;

(3) scientists, including public and occupational health and safety experts, who are studying PFAS and PFAS alternatives in firefighting foam;

(4) voluntary standards organizations engaged in developing standards for firefighter and firefighting equipment;

(5) State fire training academies;

(6) State fire marshals;

(7) manufacturers of firefighting tools and equipment; and

(8) any other relevant entities, as determined by the Administrator of the Federal Emergency Management Agency and the Administrator of the United States Fire Administration.

(c) REVIEW OF GUIDANCE.—Not later than 3 years after the date on which the guidance is issued, and not less frequently than once every 2 years thereafter, the Administrator of the Federal Emergency Management Agency, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, and the Director of the National Institute for Occupational Safety and Health, shall review the guidance and, as appropriate, issue updates to the guidance.

SA 1940. Ms. ROSEN (for herself and Ms. E RNST) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:
SEC. 7. SMALL BUSINESS LOANS FOR NON-PROFIT CHILD CARE PROVIDERS.

Section 3(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

"(10) NONPROFIT CHILD CARE PROVIDERS.—

"(A) DEFINITION.—In this paragraph, the term ‘nonprofit child care provider’ means an organization—

"(i) that—

"(I) is in compliance with licensing requirements for child care providers of the State in which the organization is located; and

"(II) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

"(ii) for which each employee and regular volunteer complies with the criminal background check requirements under section 635(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858(b)); and

"(iii) may—

"(I) provide care for school-age children outside of school hours or outside of the school year; or

"(II) offer preschool or prekindergarten educational programs.

"(B) ELIGIBILITY FOR LOAN PROGRAMS.—Notwithstanding any other provision of this subsection, a covered nonprofit child care provider may be a small business concern for purposes of any program under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) under which—

"(i) the Administrator may make loans to small business concerns; or

"(ii) the Administrator may guarantee the timely payment of loans to small business concerns; or

"(iii) the recipient of a loan made or guaranteed by the Administrator may make loans to small business concerns;".

SA 1941. Ms. KLOBUCHAR (for herself, Mr. ROUNDS, Ms. DUCKWORTH, Mr. STILLVAN, Mr. COONS, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. MENENDEZ, Ms. BLACKBURN, Ms. WARREN, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 7. STUDY ON IMPACT OF VIRAL PANDEMICS ON MEMBERS OF ARMED FORCES AND VETERANS WHO HAVE EXPERIENCED TOXIC EXPOSURE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a study, through the Airborne Hazards and Burn Pits Center of Excellence (in this section referred to as the “Center”), on the health impacts of infection with a virus designated as a global pandemic, including a coronavirus, to members of the Armed Forces and veterans who have been exposed to open burn pits and other toxic exposures for the purposes of understanding the health impacts of the virus and whether individuals infected with the virus are at increased risk of severe symptoms due to previous conditions linked to toxic exposure.

(b) PREPARATION FOR FUTURE PANDEMICS.—The Center shall analyze potential lessons learned through the study conducted under subsection (a) to assist in preparing the Department of Veterans Affairs for future pandemics.

(c) DEFINITIONS.—In this section:

"(1) CORONAVIRUS.—The term “coronavirus” has the meaning given that term in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123).

"(2) OPEN BURN PITS.—The term “open burn pits” has the meaning given that term in section 201(c) of the Diplified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SA 1942. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Ms. SINEMA, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 7. DECREASE IN REQUIRED DISTANCE AWAY FROM HOME FOR ABOVE-THE-Line DEDUCTION FOR TRAVEL EXPOSURE TO AIRBORNE CONTAMINANTS OF THE RESERVE COMPONENT OF THE ARMED FORCES.

(a) IN GENERAL.—Section 62(a)(2)(E) of the Internal Revenue Code of 1986 is amended by striking “100 miles” and inserting “50 miles”;

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2019.

SA 1945. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department
of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION —SAFE ACT PROVISIONS

Sec. 100. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This division may be cited as the “Securing America’s Federal Election Act” or the “SAFE Act.”

(b) Table of Contents.—The table of contents of this division is as follows:

DIVISION —SAFE ACT PROVISIONS

Sec. 100. Short title; table of contents.

TITLE I—FINANCIAL SUPPORT FOR ELECTION INFRASTRUCTURE

Subtitle A—Voting System Security Improvement Grants

PART 1—PROMOTING ACCURACY, INTEGRITY, AND SECURITY THROUGH VOTER-VERIFIABLE PERMANENT PAPER BALLOT

Sec. 101. Short title.

Sec. 102. Paper ballot and manual counting requirements.

Sec. 103. Accessibility and ballot verification for individuals with disabilities.

Sec. 104. Durability and readability requirements for ballots.

Sec. 105. Paper ballot printing requirements.

Sec. 106. Update existing and report on optimal ballot design.

Sec. 107. Effective date for new requirements.

PART 2—GRANTS TO CARRY OUT IMPROVEMENTS

Sec. 111. Grants for obtaining compliant paper ballot voting systems and carrying out system selection processes.

Sec. 112. Grants for accessible ballot marking devices.

Sec. 113. Grants for ballot design and printing.

Sec. 114. Coordination of voting system security activities with use of requirements payments and election administration requirements under Help America Vote Act of 2002.

Sec. 115. Incorporation of definitions.

Subtitle B—Risk-Limiting Audits

Sec. 112. Funding for conducting post-election risk-limiting audits.

Sec. 113. GAO analysis of effects of audits.

TITLE II—PROMOTING CYBERSECURITY THROUGH IMPROVEMENTS IN ELECTION ADMINISTRATION

Sec. 201. Cybersecurity requirements for and testing and certification of voting systems.

Sec. 202. Voting system cybersecurity requirements.

Sec. 203. Testing of existing voting systems to ensure compliance with election cybersecurity guidelines and other guidelines.

Sec. 204. Requiring use of software and hardware for which information is disclosed to manufacturers.

Sec. 205. Treatment of electronic poll books as part of voting systems.

Sec. 206. Pre-election reports on voting system usage.

Sec. 207. Streamlining collection of election information.

TITLE III—USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES

Sec. 301. Use of voting machines manufactured in the United States.

TITLE IV—SEVERABILITY

Sec. 401. Severability.
marking devices at each polling place as necessary (but not less than 1) to reasonably accommodate the number of voters with accessibility needs expected to vote at the polling place; and

"(II) in the case of any election for Federal office occurring after the date that is 6 years after the date of the enactment of the Securing America’s Federal Elections Act—

(a) makes ballot cards that are identical in size, ink, and paper stock to those ballots that would either be marked by hand or be marked by a ballot marking device generally available to voters; and

(b) combines ballots produced by any ballot marking devices reserved for individuals with disabilities with ballots that have either been marked by voters by hand or marked by ballot marking devices made generally available to voters, in a way that prevents identification of the ballots that were cast using ballot marking devices that was reserved for individuals with disabilities; and

"(III) is made available for use by any voter who requests to use it; and

"(iii) in the case of any election for Federal office occurring after the date that is 6 years after the date of the enactment of the Secure our elections Act, the Secretary of State or other person conducting such election shall meet the requirements of subparagraph (A) and paragraph (2)(A) by using a system that—

"(I) allows the voter to privately and independently verify the accuracy of the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote and the same printed or marked information that would be used for any vote tabulation or auditing; and

"(II) allows the voter to privately and independently verify and cast the permanent paper ballot without requiring the voter to manually handle the paper ballot; and

"(b) CLARIFICATION WITH RESPECT TO APPLICATION OF REQUIREMENT TO BALLOTS MARKED AT HOME.—Section 301(a)(3) of such Act (52 U.S.C. 21081(a)(3)) is amended by adding at the end the following new flush sentence: "Nothing in subparagraph (B) shall be construed to prohibit the use of an accessible ballot that may be printed or marked by the voter at home.

"(c) REQUIREMENT FOR POLL WORKERS TO INFORM VOTES OF ACCESSIBLE VOTING SYSTEMS.—

(1) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting "subsections A and B" after "section 301."

"(2) EFFECTIVE DATE.—The requirements added by this subsection shall be applied to such elections occurring on or after January 1, 2022.

"(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Director shall carry out such activities in accordance with any grants available to the public, including to manufacturers of voting systems.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $5,000,000, to remain available until expended.

"(f) REPORT TO CONGRESS.—The Director shall provide Congress with a report on the activities conducted under subsection (a) not later than 90 days after enactment of this Act and annually thereafter until the most recent activities conducted under subsection (a).

"(g) REQUIREMENT FOR PAPER BALLOT PRINTING REQUIREMENTS.

(a) IN GENERAL.—All paper ballots used in an election for Federal office shall be printed on durable paper manufactured in the United States.

"(b) EXCEPTION.—If the Director certifies to the Commission that the State or jurisdiction replaces such ballot marking device with an accessible alternative, the requirements of this subsection shall not apply to such ballot marking device for purposes of this Act.

"(c) PAPER BALLOT PRINTING REQUIREMENTS.

(1) REQUIREMENT FOR PAPER BALLOT PRINTING REQUIREMENTS.

"(a) REQUIREMENT FOR PAPER BALLOTS TO BE PRINTED ON RECYCLED PAPER MANUFACTURED IN UNITED STATES.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104, is amended by adding at the end the following new paragraphs:

"(ii) PRINTING REQUIREMENTS FOR BALLOTS.—

"(A) IN GENERAL.—All paper ballots used in an election for Federal office shall be printed on durable paper manufactured in the United States.

"(B) EXCEPTION.—If the Director certifies to the Commission that the State or jurisdiction replaces such ballot marking device with an accessible alternative, the requirements of this subsection shall not apply to such ballot marking device for purposes of this Act.

"(C) PAPER BALLOT PRINTING REQUIREMENTS.

"(d) SPECIFIC REQUIREMENT OF STUDY, TEST, AND DEVELOPMENT.

"(e) COORDINATION WITH REGULATORY REQUIREMENTS.

"(f) PAPER BALLOT MARKING DEVICES.

"(g) PAPER BALLOT PRODUCTION.

"(h) PAPER BALLOT DISTRIBUTION.

"(i) PAPER BALLOT STORAGE.

"(j) PAPER BALLOT USE.

"(k) PAPER BALLOT RETURN.

"(l) PAPER BALLOT SECURITY.

"(m) PAPER BALLOT DISPOSAL.

"(n) PAPER BALLOT ARCHIVES.

"(o) PAPER BALLOT AUDIT.

"(p) PAPER BALLOT AUDITING.

"(q) PAPER BALLOT STORAGE.

"(r) PAPER BALLOT SECURITY.

"(s) PAPER BALLOT DISPOSAL.

"(t) PAPER BALLOT ARCHIVES.

"(u) PAPER BALLOT AUDIT.

"(v) PAPER BALLOT AUDITING.

"(w) PAPER BALLOT STORAGE.

"(x) PAPER BALLOT SECURITY.

"(y) PAPER BALLOT DISPOSAL.

"(z) PAPER BALLOT ARCHIVES.

"(AA) PAPER BALLOT SECURITY.

"(BB) PAPER BALLOT DISPOSAL.

"(CC) PAPER BALLOT ARCHIVES.

"(DD) PAPER BALLOT AUDIT.

"(EE) PAPER BALLOT AUDITING.

"(FF) PAPER BALLOT STORAGE.

"(GG) PAPER BALLOT SECURITY.

"(HH) PAPER BALLOT DISPOSAL.

"(II) PAPER BALLOT ARCHIVES.

"(JJ) PAPER BALLOT AUDIT.

"(KK) PAPER BALLOT AUDITING.

"(LL) PAPER BALLOT STORAGE.

"(MM) PAPER BALLOT SECURITY.

"(NN) PAPER BALLOT DISPOSAL.

"(OO) PAPER BALLOT ARCHIVES.

"(PP) PAPER BALLOT AUDIT.

"(QQ) PAPER BALLOT AUDITING.

"(RR) PAPER BALLOT STORAGE.

"(SS) PAPER BALLOT SECURITY.

"(TT) PAPER BALLOT DISPOSAL.

"(UU) PAPER BALLOT ARCHIVES.

"(VV) PAPER BALLOT AUDIT.

"(WW) PAPER BALLOT AUDITING.

"(XX) PAPER BALLOT STORAGE.

"(YY) PAPER BALLOT SECURITY.

"(ZZ) PAPER BALLOT DISPOSAL.

"(AAA) PAPER BALLOT ARCHIVES.

"(BBB) PAPER BALLOT AUDIT.

"(CCC) PAPER BALLOT AUDITING.

"(DDD) PAPER BALLOT STORAGE.

"(EEE) PAPER BALLOT SECURITY.

"(FFF) PAPER BALLOT DISPOSAL.

"(GGG) PAPER BALLOT ARCHIVES.

"(HHH) PAPER BALLOT AUDIT.

"(III) PAPER BALLOT AUDITING.

"(JJJ) PAPER BALLOT STORAGE.

"(KKK) PAPER BALLOT SECURITY.

"(LLL) PAPER BALLOT DISPOSAL.

"(MMM) PAPER BALLOT ARCHIVES.

"(NNN) PAPER BALLOT AUDIT.

"(OOO) PAPER BALLOT AUDITING.

"(PPP) PAPER BALLOT STORAGE.

"(QQQ) PAPER BALLOT SECURITY.

"(AAA) PAPER BALLOT DISPOSAL.

"(BBB) PAPER BALLOT ARCHIVES.
SEC. 107. EFFECTIVE DATE FOR NEW REQUIREMENTS.

Section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)) is amended to read as follows:

"(d) EFFECTIVE DATE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

"(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

"(A) IN GENERAL.—Except as provided in section 105(b) of the Securing America’s Federal Elections Act, clauses (ii)(II) and (iii) of subsection (a)(5)(B), and subparagraphs (B) and (C), the requirements of this section which are first imposed on a State and jurisdiction pursuant to the amendments made by such Act shall apply with respect to voting systems used for any election for Federal office held in 2021 or any succeeding year.

"(B) DELAY FOR JURISDICTIONS USING CERTAIN PAPER RECORD PRINTERS OR CERTAIN SYSTEMS USING OR PRODUCING VOTER-VERIFIABLE PAPER RECORDS IN 2018.—

"(1) DELAY.—In the case of a jurisdiction described in clause (ii)(II) of subparagraph (A), such clause (II) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to 2021 were a reference to 2022, but only with respect to the following requirements of this section:

"(i) Paragraph (2)(A)(i)(I) or (II) of subsection (a) (relating to the use of voter-verifiable paper ballots),

"(ii) Paragraph (7) of subsection (a) (relating to durability and readability requirements for ballots),

"(iii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

"(I) which used voter-verifiable paper records at a polling place using direct recording electronic voting machines, or which used other voting systems that used or produced paper records of the vote selections verified by a blank paper ballot which are not in compliance with paragraphs (2)(A)(i)(I), (2)(A)(i)(II), and (7) of subsection (a) (as amended or added by the Securing America’s Federal Elections Act), for the administration of the regularly scheduled general election for Federal office held in November 2018; and

"(II) which will continue to use such printers or systems for the administration of elections for Federal office held in years before 2022.

"(C) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES USING GRANDFATHERED PRINTERS AND SYSTEMS.—

"(1) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—The appropriate election official at each polling place that uses a printer or system described in clause (i)(I) for the administration of elections for Federal office shall ensure that each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank paper ballot which the individual may use to verify that the vote entered in the printer or system corresponds to the individual's vote or to change the vote, and the official shall provide the individual with the ballot and the supplies necessary to mark the ballot, and shall ensure (to the greatest extent practicable) that the individual may cast the blank paper ballot within 30 minutes of the time the individual was offered the opportunity to cast a vote and the average waiting period for an individual who does not agree to cast the vote using such a paper ballot under this clause.

"(II) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this paragraph shall be treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for that election, if applicable) to cast voters using a blank paper ballot.

"(IV) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under clause (iii), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank paper ballot.

"(V) PERSONAL SECURITY.—The requirements of this clause apply only during the period in which the delay is in effect under clause (i)."

PART 2—GRANTS TO CARRY OUT IMPROVEMENTS

SEC. 111. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

SEC. 297A. VOTING SYSTEM SECURITY IMPROVEMENTS DESCRIBED.
deems to be part of the State’s election infrastructure or designates as critical to the operation of the State’s election infrastructure.

(6) Enhancing the cybersecurity and operations of the information technology infrastructure described in paragraph (4).

(7) Enhancing the cybersecurity of voter registration systems.

(8) QUALIFIED ELECTION INFRASTRUCTURE VENDORS DISCLOSURE.

(a) IN GENERAL.—For purposes of this part, a qualified election infrastructure vendor is any person who provides, supports, or maintains, or who seeks to provide, support, or maintain, any election infrastructure on behalf of a State, unit of local government, or election agency, who meets the criteria described in paragraph (2).

(b) DISCLOSURE.—The criteria described in this paragraph are such criteria as the Chairman, in coordination with the Secretary of Homeland Security, shall establish and publish, and shall include each of the following requirements:

(1) The vendor must be owned and controlled by a citizen or permanent resident of the United States.

(2) The vendor must disclose to the Chairman and the Secretary, and to the chief State election official of each State to which the vendor provides any goods and services with funds provided under this part, any sourcing outside the United States for parts of the election infrastructure.

(3) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

(4) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

(5) The vendor agrees to meet the requirements of paragraph (3) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under this part.

(6) The vendor agrees to permit independent verification by the Commission (in accordance with section 231(a)) and by the Secretary of the goods and services provided by the vendor pursuant to a grant under this part.

(7) Cybersecurity incident reporting requirements.—

(A) IN GENERAL.—A vendor meets the requirements of this paragraph if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided by the vendor pursuant to a grant under this part—

(i) the vendor promptly assesses whether or not such an incident occurred, and submits to the Commission a notification meeting the requirements of subparagraph (B) to the Secretary and the Chairman of the assessment as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred); and

(ii) if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the requirements of subparagraph (B) to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and

(B) CONTENTS OF NOTIFICATIONS.—Each notification submitted under clause (i) or clause (ii), as the case may be, shall include each of the following:

(i) The date, time, and time zone when the election cybersecurity incident began, if known.

(ii) The date, time, and time zone when the election cybersecurity incident was detected.

(iii) The date, time, and duration of the election cybersecurity incident.

(iv) The circumstances of the election cybersecurity incident, including the specific election infrastructure involved, and any technical data believed to have been accessed and information acquired, if any.

(v) Any planned and implemented technical measures to respond to and recover from the incident.

(vi) In the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.

(8) SEC. 297A. ELIGIBILITY OF STATES.

(a) IN GENERAL.—For purposes of this section, the term ‘eligible accessible ballot marking device costs’ means a ballot marking device that is used to cast or count votes at the polls, and costs attributed to the marking device costs means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

(b) ELIGIBLE ACCESSIBLE BALLOT MARKING DEVICE COSTS.—

(A) IN GENERAL.—For purposes of this section, the term ‘eligible accessible ballot marking device costs’ means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

(B) LIMITATIONS.—

(1) The amount of such costs paid or incurred by a State or local government to acquire an accessible ballot marking device costs under this section may not exceed the amount that the State shall pay to States the amount of eligible accessible ballot marking device costs payments under this section.

(2) Ineligible costs.—In no case may such costs be used to pay for an accessible ballot marking device costs for which the State or local government pays for itself.

(3) ELIGIBLE COSTS.—In no case may such costs be used to pay for an accessible ballot marking device costs for which the State or local government is already paying.

(c) PAYMENTS.—

(1) IN GENERAL.—For purposes of this section, the term ‘eligible accessible ballot marking device costs’ means a ballot marking device that is used to cast or count votes at the polls, and costs attributed to the marking device costs means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

(2) ELIGIBLE ACCESSIBLE BALLOT MARKING DEVICE COSTS.—

(A) IN GENERAL.—For purposes of this section, the term ‘eligible accessible ballot marking device costs’ means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

(B) LIMITATIONS.—

(1) The amount of such costs paid or incurred by a State or local government to acquire an accessible ballot marking device costs under this section may not exceed the amount that the State shall pay to States the amount of eligible accessible ballot marking device costs payments under this section.

(3) ELIGIBLE COSTS.—In no case may such costs be used to pay for an accessible ballot marking device costs for which the State or local government pays for itself.

(4) ELIGIBLE PAYMENTS.—In no case may such costs be used to pay for an accessible ballot marking device costs for which the State or local government is already paying.

(d) PAYMENTS.—

(1) IN GENERAL.—For purposes of this section, the term ‘eligible accessible ballot marking device costs’ means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

(2) ELIGIBLE ACCESSIBLE BALLOT MARKING DEVICE COSTS.—

(A) IN GENERAL.—For purposes of this section, the term ‘eligible accessible ballot marking device costs’ means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

(B) LIMITATIONS.—

(1) The amount of such costs paid or incurred by a State or local government to acquire an accessible ballot marking device costs under this section may not exceed the amount that the State shall pay to States the amount of eligible accessible ballot marking device costs payments under this section.

(3) ELIGIBLE COSTS.—In no case may such costs be used to pay for an accessible ballot marking device costs for which the State or local government pays for itself.

(4) ELIGIBLE PAYMENTS.—In no case may such costs be used to pay for an accessible ballot marking device costs for which the State or local government is already paying.
“PART B—FUNDING FOR ACCESSIBLE BALLOT MARKING DEVICES

“Sec. 299. Payments for ballot design and printing.

“PART C. INCOME TAXES; FEDERAL PROGRAMS.

“Sec. 303A. Risk-limiting audits.

“PART D. CORPORATE TAXES; FEDERAL PROGRAMS.

“Sec. 306A. Individual income tax.

“PART E. SOCIAL SECURITY AND OTHER PROGRAMS.

“Sec. 313. Payment for printing of accessible ballot design.

“PART F. FUNDING FOR ACCESSIBLE BALLOT MARKING DEVICES; OTHER ISSUES.

“Sec. 320. Funding for accessible ballot marker design and printing.

“PART G. OTHER ISSUES.


“PART H. MISCELLANEOUS.


“PART I. MISCELLANEOUS.


“PART J. MISCELLANEOUS.


“PART K. MISCELLANEOUS.


“PART L. MISCELLANEOUS.


“PART M. MISCELLANEOUS.


“PART N. MISCELLANEOUS.


“PART O. MISCELLANEOUS.


“PART P. MISCELLANEOUS.


“PART Q. MISCELLANEOUS.


“PART R. MISCELLANEOUS.


“PART S. MISCELLANEOUS.


“PART T. MISCELLANEOUS.


“PART U. MISCELLANEOUS.


“PART V. MISCELLANEOUS.


“PART W. MISCELLANEOUS.


“PART X. MISCELLANEOUS.


“PART Y. MISCELLANEOUS.


“PART Z. MISCELLANEOUS.

(C) Outcome.—The term ‘outcome’ means the winner or set of winners of an election contest.

(3) Manual adjudication of voter intent.—The term ‘manual adjudication of voter intent’ means direct inspection and determination of whether any ballots are not processed by an automated tabulation device, without assistance from electronic or mechanical tabulation devices, of the ballot choices marked by voters on each voter-usable paper record.

(4) Ballot manifest.—The term ‘ballot manifest’ means a record maintained by each jurisdiction that—

(A) is created without reliance on any part of the voting system used to tabulate votes;

(B) functions as a sampling frame for conducting a risk-limiting audit; and

(C) accounts for all ballots validly cast regardless of how they were tabulated and includes a precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

(b) Requirements.—

(1) In general.—

(A) Audits.—Not later than 1 year after the date of the enactment of the Securing America’s Federal Elections Act that the State or jurisdiction shall administer risk-limiting audits of the results of all election contests for Federal office held in the State in accordance with the requirements of paragraph (2).

(B) Full manual tabulation.—If a risk-limiting audit conducted under subparagraph (A) complies with the requirements of paragraph (1), the State or jurisdiction shall conduct a full recounts through a manual adjudication of voter intent.

(C) Full manual tabulation.—If a risk-limiting audit conducted under subparagraph (A) is affected by the inability to meet the deadline, paragraph (1) shall be applied as if the reference in such paragraph to ‘1 year’ were a reference to ‘180 days’.

(d) Clerical amendment.—The table of contents of this Act, as amended by section 2215, is amended by adding at the end the following:.

SEC. 225. MANDATORY CYBERSECURITY REQUIREMENTS FOR SYSTEMS USED IN FEDERAL ELECTIONS.

Not later than 180 days after the date of enactment of the Help America Vote Act of 2002 (as added by section 2215), the Comptroller General of the United States shall conduct an analysis of the extent to which the administration of such elections has improved the administration of such elections and the security of election infrastructure in the States receiving such grants.

(b) Full manual tabulation.—The Comptroller General of the United States shall submit a report on the analysis conducted under subsection (a) to the Committee on Rules and Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

TITLE II—PROMOTING CYBERSECURITY THROUGH IMPROVEMENTS IN ELECTION ADMINISTRATION

SEC. 201. CYBERSECURITY REQUIREMENTS FOR AND TESTING AND CERTIFICATION OF VOTING SYSTEMS.

(a) In general.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 1901 et seq.) is amended by adding at the end the following:

SEC. 2215. MANDATORY CYBERSECURITY REQUIREMENTS FOR SYSTEMS USED IN FEDERAL ELECTIONS.

(1) Ballot tabulation devices used in Federal elections.

(B) Ballot tabulation devices (as defined in section 353A) with respect to any State, costs paid or incurred by the State or local government within the State for—

(1) the conduct of any risk-limiting audit (as defined in section 303A) with respect to an election for Federal office occurring after the date of the enactment of this part; and

(2) any audit, fire, personal, or services necessary for the conduct of any such risk-limiting audit.

(c) Special rules.—

(1) Rules and procedures.—The Commission shall establish rules and procedures for submission of eligible post-election audit costs for payments under this section.

(2) Insurant fund.—In any case in which the amount of such costs paid under subsection (a) to any State shall be equal to the amount that bears the same ratio to the amount that such State would otherwise pay under this section (determined without regard to this paragraph) as—

(1) in general.—After the completion of the risk-limiting audit and at least 5 days before the election contest is certified by the State, the State shall make public and submit to the Federal Election Commission the results of the audit, together with such information as necessary to confirm that the audit was conducted properly.

(2) Provision of data.—All data published with the report under clause (1) shall be published in machine-readable, open data formats.

(3) Protection of anonymity of votes.—Information and data published by the State under this subparagraph shall not compromise the anonymity of votes.

(4) Report made available by Commission.—After receiving any report submitted under clause (1), the Commission shall make such report available on its website.

(5) Effective date.—

(1) In general.—Each State and jurisdiction shall be required to comply with the requirements of this section for the first regularly scheduled election for Federal office held after the date of the enactment of the Securing America’s Federal Elections Act that the State or jurisdiction will not meet the deadline described in paragraph (1) for good cause shown.

(2) Waiver.—If a State or jurisdiction certifies to Commission not later than 1 year after the date of the enactment of the Securing America’s Federal Elections Act that the State or jurisdiction will not meet the deadline described in paragraph (1) for good cause shown, the head of the entity to which such deadlines were a reference in paragraph (1) shall be applied by as if the reference in such paragraph to ‘1 year’ were a reference to ‘180 days’.

(b) Clerical amendment.—The table of contents of this Act, as amended by section 2215, is amended by adding at the end the following:

SEC. 303A. Risk-limiting audits.

(c) Special rules.—

(1) Insurant fund.—In any case in which the amount of such costs paid under subsection (a) to any State shall be equal to the amount that such State would otherwise pay under this section (determined without regard to this paragraph) as—

(1) the number of individuals who voted in such Federal election in such State; bears to

(2) the total number of individuals who voted in such Federal election in all States submitting a claim for eligible post-election audit costs.

(d) Authorization of appropriations.—

(1) In general.—There is hereby authorized to be appropriated to the Commission such sums as are necessary to carry out this part.

(2) Availability.—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.

(e) Public record.—

(1) Election results.—Information and data published by the State under this subparagraph shall not compromise the anonymity of votes.

(2) Report made available by Commission.—After receiving any report submitted under clause (1), the Commission shall make such report available on its website.

(3) Effective date.—
(7) Such other components of voting systems (as defined in section 301(b) of such Act) as is determined appropriate by the Director. 

SEC. 2216. TESTING AND CERTIFICATION OF BALLOT MARKING AND BALLOT TABULATION DEVICES OPTIONAL TESTING OF THE SECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) IN GENERAL.—Any State or jurisdiction that uses a ballot marking device or a ballot tabulation device in an election for Federal office may submit an application to the Director for cybersecurity testing of the source of the hardware and software of such device under this section.

(b) APPLICATION, ASSIGNMENT, AND TESTING.

(1) ASSIGNMENT.—

(A) IN GENERAL.—Upon receipt of an application for testing under this section, the Director, in consultation with the Director of the Security and Infrastructure Security Agency, shall contract with a qualified laboratory for the testing of whether—

(i) in the case of a ballot tabulation device intended to be used by the State or jurisdiction, the device meets the requirements of section 301(a)(9)(B) of the Help America Vote Act of 2002; and

(ii) in the case of a ballot marking device intended to be used by the State or jurisdiction, the device meets the requirements of section 301(a)(12)(A) of such Act.

(2) REQUIREMENTS OF TESTING.—The Director shall—

(A) determine whether the laboratory—

(I) meets the qualifications set forth in section 301(a)(9)(B) of the Help America Vote Act of 2002; and

(II) is certified under section 2216 of the Homeland Security Act; and

(B) may not charge any fee to a State or jurisdiction for cybersecurity testing.

(c) REPORTING AND CERTIFICATION.—The Director shall—

(1) publish on the website of the Cybersecurity and Infrastructure Security Agency the results of the testing conducted under subsection (b); and

(2) certify—

(A) a ballot tabulation device if the ballot tabulation device is determined by the qualified research laboratory to meet the requirements of section 301(a)(9)(B) of such Act; and

(B) a ballot marking device if the ballot marking device is determined by the qualified research laboratory to meet the requirements of section 301(a)(12)(A) of such Act.

(d) IN GENERAL.—The Director may not charge a fee to a State or jurisdiction, a developer or manufacturer of a ballot marking device or ballot tabulation device, or any other person in connection with testing and certification under this section (including any testing conducted under subsection (b)(1)(B)).

SEC. 202. VOTING SYSTEM CYBERSECURITY REQUIREMENTS.

(a) BALLOT TABULATION DEVICES.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104 and section 105—

(1) requires any ballot tabulation device that may be used in an election for Federal office to meet the requirements of subsection (b); and

(2) requires the results of the testing conducted under subsection (b) to be published.

(b) REQUIREMENTS FOR BALLOT TABULATION DEVICES.—Except as provided in subsection (c), the requirements of this subsection are as follows:

(I) The device is designed and built in a manner in which it is mechanically impossible for the device to add or change the vote selections on a printed or marked ballot.

(ii) The device is capable of preventing its data (including voter names and cast and vote records) in a machine-readable, open data standard format required by the Commission, in consultation with the Director of the National Institute of Standards and Technology.

(iii) The device consists of hardware that—

(A) is certified under section 2216 of the Homeland Security Act; and

(B) demonstrably conforms to a hardware component manifest describing point-of-origin information (including upstream hardware supply chain information for each component) that—

(aa) has been provided to the Commission, the Director of Cybersecurity and Infrastructure Security, and the chief State election official for each State in which the device is used; and

(bb) may be shared by any entity to whom it has been provided under item (aa) with independent experts for cybersecurity analysis.

(iv) The device utilizes technology that prevents the operation of the device if any hardware components do not meet the requirements of paragraph (iii)(B).

(v) The device operates using software—

(A) that is certified under section 2216 of the Homeland Security Act; and

(B) for which the source code, system build tools, and compilation parameters—

(aa) have been provided to the Commission, the Director of Cybersecurity and Infrastructure Security, and the chief State election official for each State in which the device is used; and

(bb) may be shared by any entity to whom it has been provided under item (aa) with independent experts for cybersecurity analysis.

(vi) The device utilizes technology that prevents the operation of the device if it does not meet the requirements of clause (iv).

(vii) The device utilizes technology that enables election officials, cybersecurity researchers, and voters to verify that the software running on the device—

(A) was built from a specific, untampered version of the code that is described in clause (v); and

(B) uses the system build tools and compilation parameters that are described in clause (v).

(viii) The device contains such other security requirements as established by the Director of Cybersecurity and Infrastructure Security, in consultation with the Director of the National Institute of Standards and Technology and the Technical Guidelines Development Committee.

(c) WAIVER.—

(1) IN GENERAL.—In the case of a ballot marking device, the Director of Cybersecurity and Infrastructure Security, in consultation with the Department of Defense, may waive one or more of the requirements of subparagraph (B) (other than the requirement of clause (i) thereof) with respect to a device for a period of not to exceed 2 years.

(2) PUBLICATION.—In the case of a ballot marking device, the Director shall—

(I) publish a statement describing the waiver; and

(II) publish a list of the waivers that have been granted under this subsection.

(d) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.

(e) OTHER CYBERSECURITY REQUIREMENTS.—

(1) IN GENERAL.—No system or device upon which ballot marking or ballot tabulation devices are configured, upon which ballots are marked by voters (except as necessary for individuals with disabilities to use a ballot marking device), or upon which ballot marking devices that meet the accessibility requirements of paragraph (3), or upon which votes are cast, tabulated, or aggregated shall contain, use, or be accessible by any wireless, power-line, or concealed communications devices in systems or devices.

(ii) PROHIBITION OF USE OF WIRELESS COMMUNICATIONS DEVICES IN SYSTEMS OR DEVICES.—

(A) IN GENERAL.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters, or upon which votes are cast, tabulated, or aggregated shall be connected to the internet or any non-local computer system via telephone or other communication network at any time.

(B) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.

(ii) IN GENERAL.—In the case of a system that uses a ballot marking device, the ballot marking device shall be a device that—

(i) is not capable of tabulating votes; and

(ii) is certified under section 2216 of the Homeland Security Act as meeting the requirements of clauses (i) through (viii) of section 301(a)(9)(B).

(B) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.

(3) SECURITY TESTING.—In the case of a voting system or device, the device meets the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.
SEC. 203. TESTING OF EXISTING VOTING SYSTEMS TO ENSURE COMPLIANCE WITH ELECTION CYBERSECURITY GUIDELINES AND OTHER GUIDE-
LINES.—

(a) Requiring Testing of Existing Voting Systems.—

(1) IN GENERAL.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971(a)) is amended by adding at the end the following new paragraph:

“(3) TESTING TO ENSURE COMPLIANCE WITH GUIDELINES.—

(A) Testing.—Not later than 9 months before the date of a regularly scheduled general election for Federal office, the Commission shall provide for the testing by accredited laboratories under this section of the voting system hardware and software which is certified for use in the most recent such election, on the basis of the most recent voting system guidelines applicable to such hardware or software (including election cybersecurity guidelines) issued under this Act.

(B) CERTIFICATION OF HARDWARE OR SOFTWARE FAILING TO MEET GUIDELINES.—If, on the basis of the testing described in subparagraph (A), the Commission determines that any voting system hardware or software does not meet recent guidelines applicable to such hardware or software issued under this Act, the Commission shall decertify such hardware or software.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to elections for Federal office held in 2021 or any subsequent year.

(b) ELECTION CYBERSECURITY GUIDELINES BY TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended by adding at the end the following new paragraph:

“(3) ELECTION CYBERSECURITY GUIDELINES.—Not later than 6 months after the date of the enactment of the Securing America’s Future Election Act of 2021 or any succeeding year.

(c) AMENDMENT OF ELECTION SECURITY ACT OF 2018.—Section 301(b) of the Election Security Act of 2018 (52 U.S.C. 20971(b)) is amended by adding at the end the following new paragraph:

“(2) Effective date.—The amendment made by subsection (a) shall apply with respect to elections for Federal office held in 2021 or any succeeding year.

SEC. 204. REQUIRING USE OF SOFTWARE AND HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.—

(a) REQUIREMENT.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 20961(a)), as amended by sections 104, 105, 202(a), 202(b), 202(c), and 204(a), is amended by adding at the end the following new paragraph:

“(13) REQUIRING USE OF SOFTWARE AND HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.—

(1) IN GENERAL.—In the operation of voting systems in an election for Federal office, a State may only use software for which the manufacturer makes the source code (in the form of a computer program) at the time of the election) publicly available online under a license that grants a worldwide, royalty-free, non-exclusive, perpetual, sub-licensable license to all intellectual property rights in the source code or the component, except that the manufacturer may prohibit a person who obtains the design from using the design in a manner that is primarily intended for or directed toward commercial advantage or private monetary compensation that is unrelated to carrying out legitimate research or cybersecurity activity.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections for Federal office held in 2021 or any succeeding year.

SEC. 205. TREATMENT OF ELECTRONIC POLL BOOKS AS PART OF VOTING SYSTEMS.—

(a) INCLUSION IN DEFINITION OF VOTING SYSTEM.—Section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended—

(1) in the matter preceding paragraph (1), by striking “this section” and inserting “this Act”;

(2) by striking “and” at the end of paragraph (1);

(3) by redesigning paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following new paragraph:

“(2) any electronic poll book used with respect to the election; and”.

(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to elections for Federal office held after August 3, 2021 or any succeeding year.

SEC. 206. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.—

(a) REQUIRING STATES TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 20971 et seq.), as amended by section 106(c), is amended by inserting after section 301A the following new section:

“SEC. 301B. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.—

(a) REQUIRING STATES TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Commission containing a detailed voting system usage plan for each jurisdiction in the State which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding regularly scheduled general election for Federal office.

(c) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 106(c), is amended by inserting after the item relating to section 301A the following new item:

“Sec. 301B. Pre-election reports on voting system usage.”

SEC. 207. STREAMLINING COLLECTION OF ELECTION INFORMATION.—

Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20972) is amended—

(1) by striking “The Commission” and inserting “(a) IN GENERAL.—The Commission;”;

(2) by adding at the end the following new subsection:

“(b) WAIVER OF CERTAIN REQUIREMENTS.—Subsection 1 of chapter 1 of part I of title 44 of United States Code, shall not apply to the collection of information for purposes of maintaining the clearinghouse described in paragraph (1) of subsection (a).”

TITLE III—USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES

SEC. 301. USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 20961(a)), as amended by sections 104, 105, 202(a), 202(b), 202(c), and 204(a), is further amended by adding at the end the following new paragraph:

“(14) VOTING MACHINE REQUIREMENTS.—Each State shall seek to ensure that any voting machine used in an election for Federal office held in 2021 or any subsequent year is manufactured in the United States.”

TITLE IV—SEVERABILITY

SEC. 401. SEVERABILITY.

If any provision of this division or amendment is held by this division, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this division and amendments made by this division, or the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SA 1946. Ms. KLOBUCHAR submitted an amendment intended to be proposed.
by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military pay and allowances for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. WAIVER OF MATCHING REQUIREMENT.

The last proviso under the heading “Election Assistance Commission, Election Security Grants, in the Financial Services and General Government Appropriations Act, 2020 (Public Law 116-93; 133 Stat. 2461) shall not apply with respect to any payment made to a State using funds appropriated or otherwise made available to the Election Assistance Commission under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 118-189).

SA 1947. Ms. KLOBUCHAR (for herself, Ms. WARREN, and Mr. BENNET) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle G of title V, add the following:

SEC. 6. PROMOTION OF DIGITAL AND MEDIA LITERACY TO COMBAT FOREIGN INFLUENCE CAMPAIGNS.

(a) FINDINGS.—Congress finds the following:

(1) People in the United States rely on information from mass media, social media, and digital media to make decisions about all aspects of social, economic, and political life, including products and services consumption, choices in career and professional development, family and leisure choices, health and wellness, and democratic engagement. Ensuring that people in the United States possess the skills to make informed decisions based on media begins early in life.

(2) Adversaries from Russia, China, and Iran among others use information warfare to influence democracies across the world, and terrorist organizations often use digital communications to recruit members. The United States can fight these influences by ensuring that citizens of the United States possess the necessary skills to discern disinformation and misinformation and think critically about these influences.

(3) Influence campaigns by foreign adversaries reached tens of millions of voters during the 2016 and 2018 elections with racially divisive targeted messages. The Select Committee on Intelligence of the Senate found in its investigation of the interference in the 2016 election that social media posts by Russia’s Internet Research Agency (IRA) reached tens of millions of voters in 2016 and were meant to pit people of the United States against one another and sow discord.

(4) Researchers have documented persistent, pervasive, and coordinated online targeting of members of the Armed Forces, veterans, and their families by foreign adversaries seeking to undermine the democracy of the United States. Veterans and the socially and economically marginalized and disproportionately revered veterans service organizations were specifically targeted by the Internet Research Agency with at least 113 advertisements during the 2016 election. This represents a fraction of the Russian activity that targeted this community with divisive propaganda.

(b) THE CYPERSPACE SOLARIUM COMMISSION, a bicameral and bipartisan commission, established in the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) in its finished report that the “U.S. government should promote digital literacy, civics education, and public awareness to build societal resilience to foreign, malign cyber-enabled information operations and that the U.S. government must ensure that individual Americans have both the digital literacy tools and the civics education they need to secure their networks and their democracy from cyber-enabled information operations.” The report recommended that Congress authorize the formation of a bicameral and bipartisan commission to study how best to improve digital citizenship and to incorporate effective digital literacy curricula in American classrooms at the K-12 level and beyond.

(c) In addition to bolstering national security by building societal resistance to foreign influence campaigns, digital and media literacy education is critical to allow young people to make informed decisions about products and services, education, health and wellness, and democratic decisions associated with public policy. Digital and media literacy education must be inclusive and accessible for all students, including students with disabilities. Digital and media literacy curricula must empower young people to make informed decisions about their future, advertisements, the use of controlled substances, nutrition, and physical health. Equipping students with the skills to make informed decisions in these areas contributes to the betterment of mental health and public health.

(d) A successful and inclusive digital and media literacy program must be directed at students beginning in kindergarten and should continue throughout the completion of postsecondary education. Learning to critically analyze and create digital content and media is a lifelong process that can be developed by integrating media literacy competencies into the academic curriculum across content areas and disciplines.

(e) Digital and media literacy also allows young people to develop the critical thinking skills that will help them become informed voters. The right to vote is a fundamental right afforded to United States citizens by the Constitution. The unimpeded free exercise of this right is essential to the functioning of our democracy. The process to protect our democracy begins with educating young people in the United States to ensure that the young people possess the skills to engage in civic activities, engage with communities, and eventually become informed voters.

(b) SENSE CONGRESS.—It is the sense of Congress that, given the threat foreign influence campaigns pose for American democracy and the recommendations of the Cyberspace Solarium Commission, Congress must immediately act to pass legislative measures to increase digital and media literacy among Americans.

(c) DIGITAL AND MEDIA LITERACY EDUCATION GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ESSEA DEFINITIONS.—The terms “child with a disability”, “local educational agency”, “State educational agency”, “specialized instructional support personnel”, and “subsection” as those terms are defined in section 601 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(B) ELIGIBLE ENTITY.—The term “eligible entity” means—

(1) a State educational agency; or

(ii) a local educational agency.

(C) DIGITAL CITIZENSHIP.—The term “digital citizenship” means the ability to—

(i) safely, responsibly, and ethically use communication technologies and digital information technology tools and platforms; create and share media and communications using principles of social and civic responsibility and with awareness of the legal and ethical issues involved; and

(ii) participate in the political, economic, social, and cultural aspects of life related to technology, communications, and the digital world by consuming and creating digital content, including media.

(D) DIRECTOR.—The term “Director” means the Director of the Digital and Media Literacy Education Grant Program who shall be appointed by the Secretary of Education.

(E) MEDIA LITERACY.—The term “media literacy” means the ability to—

(i) assess relevant and accurate information through media in a variety of forms;

(ii) critically analyze media content and the influences of different forms of media;

(iii) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

(iv) make educated decisions based on information obtained from media and digital sources;

(v) operate various forms of technology and digital tools; and

(vi) reflect on how the use of media and technology may affect private and public life.

(2) ESTABLISHMENT.—The Director shall establish a program to promote digital and media literacy, through which the Director shall award grants to eligible entities to enable eligible entities to carry out the activities described in paragraph (4).

(B) DESIGNATION.—The program established under subparagraph (A) shall be known as the “Digital and Media Literacy Education Grant Program”.

(3) APPLICATION.—An eligible entity that desires a grant under this subsection shall make an application to the Director at such time and in such manner as the Director may require, including, at a minimum—

(A) a description of the activities the eligible entity intends to carry out with the grant funds;

(B) an estimate of the costs associated with such activities; and

(C) such other information and assurances as the Director may require.

(4) USE OF FUNDS.—

(A) STATE EDUCATIONAL AGENCIES.—

(i) IN GENERAL.—An eligible entity that is a State educational agency receiving a grant under this subsection shall use grant funds to carry out one or more of the following activities:

(aa) provide recommendations about digital citizenship and media literacy guidelines;

(bb) identify barriers and opportunities for implementing media literacy in kindergarten through grade 12 through makerspaces in the State for all students, including students who are children with disabilities;
(cc) identify best practices and effective models for media literacy education, including incorporating universal design for learning and providing additional accommodations for students who are children with disabilities when needed;
(dd) identify existing models of curriculum and existing policies in different States that are aimed at overcoming the barriers identified in item (bb);
(ee) gather data or conduct research to assess the media literacy and digital citizenship expertise and service capabilities of students, teachers, or specialized instructional support personnel;
(ff) submit a report to the State education agency on findings and recommendations regarding the items identified under this subclause; and
(gg) annually update those findings and recommendations.
(II) Assisting local educational agencies in the development of units of instruction on media literacy, either as a new subject or as a part of the existing curriculum.
(III) Assisting local agencies in developing means of evaluating student learning in media literacy.
(IV) Assisting local agencies in developing or providing professional development for teachers that relates to media literacy.
(i) MEDIA LITERACY ADVISORY COUNCIL.—
(I) MEMBERS.—The media literacy advisory council described in clause (i)(I) shall include experts in media literacy, including academic experts, individuals from nonprofit organizations with experience in education for students who are children with disabilities, teachers, librarians, representatives from parent organizations, educators, administrators, students, and other stakeholders.
(II) DIVERSITY OF REPRESENTATION.—Such membership shall include representation from rural and urban local educational agencies, small and large schools, high- and low-resource schools, teachers of students with disabilities, and schools in communities from diverse racial and ethnic backgrounds.
(iii) GUIDELINES.—
(aa) research and information fluency;
(bb) critical thinking and problem solving skills;
(cc) technology operations and concepts;
(dd) information and technological literacy;
(ee) concepts of media representation and stereotyping;
(ff) understanding of explicit and implicit media messages;
(gg) understanding of values and points of view that are included and excluded in media content;
(hh) understanding of how media may influence ideas and beliefs; and
(ii) understanding of the importance of obtaining information from multiple media sources and evaluating sources for quality;
(jj) understanding how information on digital platforms can be altered through algorithms, editing, and augmented reality; and
(kk) ability to create media in civically responsible ways.
(B) LOCAL EDUCATIONAL AGENCIES.—An eligible entity that is a local educational agency receiving a grant under this subsection shall use grant funds to carry out one or more of the following activities:

(i) Incorporating digital citizenship and media literacy into the existing curriculum, or standards.
(ii) Establishing professional development for instructional support personnel, such as a librarian or other personnel who can provide instructional services in media literacy.
(iii) Providing funding or technical assistance to individuals who are carrying out activities described in clause (i) to further their professional development in media literacy, including funding for travel to media literacy conferences to share knowledge with regional and national stakeholders.
(iv) Establishing student led efforts, to support, develop, or promote the implementation of media literacy education programs, policies, teacher preparation, curriculum, or standards.

(5) REPORTING.—
(A) REPORTS BY ELIGIBLE ENTITIES.—Not later than 1 year after the date the eligible entity receives a grant under this subsection, each eligible entity shall prepare and submit to the Director a report describing the activities that the eligible entity carried out using grant funds and the effectiveness of those activities.
(B) REPORT BY THE DIRECTOR.—Not later than 90 days after the Director receives the reports described in subparagraph (A) from the last eligible entity to submit such a report, the Director shall prepare and submit a report to Congress describing the activities carried out under this subsection and the effectiveness of those activities.

(6) SENSE OF CONGRESS.—It is the sense of Congress that the Director should establish and maintain a list of eligible entities that receive a grant under this subsection, and individuals designated by those eligible entities as participating individuals. The Director should make that list available to those eligible entities and participating individuals in order to promote communication and further exchange of information regarding sound digital citizenship and media literacy practices among recipients of a grant under this subsection.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2021 through 2026.

(D) MEDIA LITERACY.—The term "media literacy" means the ability to—

(i) access relevant and accurate information through media in a variety of forms;
(ii) critically analyze media content and the influences of different forms of media;
(iii) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;
(iv) make educated decisions based on information obtained from media and digital sources;
(v) separate various forms of technology and digital tools; and
(vi) reflect on how the use of media and technology may affect private and public life.

(2) IN GENERAL.—The Secretary shall establish a program to promote digital citizenship and media literacy, through which the Director shall award grants to eligible entities to enable those eligible entities to carry out the activities described in paragraph (4).

(3) APPLICATION.—An eligible entity that desires a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including, at a minimum—

(A) a description of the activities the eligible entity intends to carry out with the grant funds;
(B) an estimate of the costs associated with such activities; and
(C) other information and assurances as the Secretary may require.

(4) USE OF FUNDS.—An eligible entity receiving a grant under this subsection shall use the grant funds to carry out one or more of the following activities to increase digital citizenship and media literacy among veterans to develop media literacy and digital citizenship competencies and improve personal cybersecurity by promoting veterans—

(A) research and information fluency;
(B) critical thinking and problem solving skills;
(C) technology operations and concepts;
(D) information and technological literacy;
(E) concepts of media and digital representation and stereotyping;
(F) understanding of explicit and implicit media messages;
(G) understanding of values and points of view that are included and excluded in media and digital content;
(H) understanding of how media and digital content may influence ideas and behaviors;
(I) understanding of the importance of obtaining information from multiple media sources and evaluating sources for quality;
(J) understanding how information on digital platforms can be altered through algorithms, editing, and augmented reality;
(K) ability to create media and digital content in civically and socially responsible ways;
(L) understanding of influence campaigns conducted by foreign adversaries and the tactics employed by foreign adversaries for conducting influence campaigns;
(M) ability to implement and maintain safe cybersecurity practices;
(N) ability to mitigate cyber vulnerabilities;
(O) ability to recognize cyber threats; and
(P) ability to identify instances of online manipulation.

(5) REPORTING.—
(A) REPORTS BY ELIGIBLE ENTITIES.—Not later than 1 year after the date an eligible entity receives a grant under this subsection, each eligible entity shall prepare and submit to the Secretary a report describing the activities carried out using the grant funds and the effectiveness of those activities.
SEC. 101. FEDERAL CAMPAIGN REPORTING OF FOREIGN CONTACTS.

(a) INITIAL NOTICE.—

(1) IN GENERAL.—There shall be published in the Federal Register, not later than 1 week after a reportable foreign contact—

(A) a notice to the person described in section 319 with respect to such reportable foreign contact; and

(B) a notice to the Commission of the reportable foreign contact.

(2) No less than 30 days before the date on which a notice required by paragraph (1) is published in the Federal Register, the Director shall send a report of the results of the study conducted under section (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2022, the Director shall submit to Congress a report on the progress made in the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for members of the Armed Forces overseas.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Officers in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officer program.

(c) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2023 for the Department of Defense under section 4301, $1,300,000 may be available for the study required by subsection (a).

SEC. 302. Clarification of standard for determining existence of coordination between campaigns and outside interests.

Subsection B—Prohibiting Deceptive Practices and Preventing Voter Intimidation

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 30104) is amended by adding at the end the following new subsection:

"(c) FUNDING.—Of the amount appropriated for fiscal year 2021 for the Department of Defense, for military activities of the Department of Defense, for military construction, and for defense activities of the Defense Department, for personnel strengths for such fiscal year, and for other purposes; which was otherwise appropriated for the Department of Veterans Affairs.

SEC. 102. Federal campaign reporting of foreign contacts.

Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION —SHELDED ACT PROVISIONS

SEC. 100. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the "Stopping Harmful Interference in Elections for the Voting Democracy Act" or the "SHELDED Act".

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

DIVISION —SHELDED ACT PROVISIONS

SEC. 101. Short title; contents.

TITLE I—ENHANCED REPORTING REQUIREMENTS

Subtitle A—Establishing Duty To Report Foreign Election Interference

SEC. 101. Federal campaign reporting of foreign contacts.

SEC. 102. Federal campaign foreign contact reporting compliance system.

SEC. 103. Criminal penalties.

SEC. 104. Rule of construction.

TITLE II—CLOSING LOOPHOLeS ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SEC. 201. Clarification of prohibition on participation by foreign nationals in election-related activities.

SEC. 202. Clarification of prohibition of foreign money in certain disbursements and activities.

SEC. 203. Audit and report on illicit foreign money in Federal elections.

SEC. 204. Prohibition on contributions and donations by foreign nationals in connection with ballot initiatives and referenda.

SEC. 205. Expansion of limitations on foreign nationals participating in political activities.

TITLE III—DETERMINING FOREIGN INTERFERENCE IN ELECTIONS

Subtitle A—Deterrence Under Federal Election Campaign Act of 1971

SEC. 301. Rule of interpretation excluding campaign information between candidates and foreign powers.

SEC. 302. Clarification of standard for determining existence of coordination between campaigns and outside interests.
capacity if the contact or communication involves a contribution, donation, expenditure, disbursement, or solicitation described in section 316.

(a) COVERED FOREIGN NATIONAL DEFINED.
"(1) IN GENERAL.—In this paragraph, the term ‘covered foreign national’ means—
"(A) a foreign principal (as defined in section 30102) is amended by adding at the end the following new subsection:

SEC. 103. CRIMINAL PENALTIES.
"(B) by striking ‘“broadcasting, newspaper, magazine, billboard, direct mail, or similar types of general public communication”’ and inserting ‘“satellite, or qualified digital communication”’; and

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

SEC. 104. RULE OF CONSTRUCTION.
Nothing in this subtitle or the amendments made by this subtitle shall be construed—

SEC. 111. SHORT TITLE.
This subtitle may be cited as the “Honest Ads Act of 2020."
(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

"(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term ‘qualified internet or digital communication’ means any communication that is transmitted by online platforms and is promoted for a fee on an online platform (as defined in subsection (k)(3))."

(2) NONAPPLICATION OF RELEVANT ELECTORAL COVERAGE REQUIREMENTS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III) is amended by inserting “any broadcast, cable, or satellite” before “communication”.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

"(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;"

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2021.

SEC. 115. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking “shall clearly state” each place it appears in paragraphs (1), (2), and (3) and inserting “shall state in a clear and conspicuous manner”;

(2) by adding at the end the following flush sentence: “For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.”;

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

"(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

"(1) RULES WITH RESPECT TO STATEMENTS.—In the case of any communication to which this section applies which is a qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

"(A) state the name of the person who paid for the communication; and

"(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

"(2) CONTENTS FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in a qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

"(A) HEADERS FOR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

"(i) appears in letters at least as large as the majority of the text in the communication; and

"(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

"(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

"(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

"(i) is included at either the beginning or the end of the communication; and

"(ii) is made both in—

"(D) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

"(E) a written format that meets the requirements of subparagraph (B).

"(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1) and (2) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in this section) made by, or on behalf of, a candidate, the authorized committee of the candidate, and the treasurer of such committee; and

"(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name, address, and phone number of the contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

(3) ONLINE PLATFORM.—For purposes of this subsection, the term ‘online platform’ means any public-facing website, web application, digital platform, social media page, social network, ad network, or search engine which—

"(A) sells qualified political advertisements; and

"(B) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months.

"(C) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term ‘qualified political advertisement’ means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

"(A) is made by or on behalf of a candidate; or

"(B) communicates a message relating to any political matter of national importance, including—

"(i) a candidate;

"(ii) any election to Federal office; or

"(iii) a national legislative issue of public importance.

"(C) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period not less than three years.

"(D) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

"(1) requiring common data formats for the record required to be maintained under section 304(k) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format; and

"(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchase; and date.

(c) REPORTING.—Not later than 2 years after the date of the enactment of this Act, the Chairman of the Federal Election Commission shall submit a report to Congress on—
(1) matters relating to compliance with and the enforcement of the requirements of section 304(k) of the Federal Election Campaign Act of 1971, as added by subsection (a); 
(2) for any disbursements for any infrequent act in such section to assist in carrying out its purposes; and 
(3) identifying ways to bring transparency and accountability to political advertisement distributed online free for.

SECTION 117. PREVENTING CONTRIBUTIONS, EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS MADE BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121) is amended by adding at the end following new subsection:
``(c) Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(c)(3)) shall make reasonable efforts to ensure that communications described in subsection (a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly.

TITLE II—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SECTION 201. CLARIFICATION OF PROHIBITION ON PARTICIPATION BY FOREIGN NATIONALS IN ELECTION-RELATED ACTIVITIES.

(a) Clarification of Prohibition.—Section 319(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)) is amended—
(1) by striking ``or'' at the end of paragraph (1); and 
(2) by striking the period at the end of paragraph (2) and inserting a semicolon and inserting the following:
``(3) a foreign national to direct, dictate, control, or directly or indirectly participate in the decision-making process of any person (including a corporation, labor organization, political committee, or political organization) with regard to such person’s Federal or non-Federal election-related activity, including any decision concerning the making of contributions, donations, expenditures, or disbursements in connection with an election for Federal, State, or local office (regardless of whether the communication is or is not an activity in violation of subsection (a)(3), unless the chief executive officer of the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, in accordance with procedures established by the Commission, certifying that the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, in accordance with procedures established by the Commission, certifying that the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, in accordance with procedures established by the Commission, certifying that the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, in accordance with procedures established by the Commission, certifying that the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, in accordance with procedures established by the Commission.

(b) Certification of Compliance Required Prior to Carrying Out Activity.—Prior to the making in connection with an election for Federal office of any contribution, expenditure, independent expenditure, independent expenditure, or disbursement for an electioneering communication by a corporation, limited liability corporation, or partnership during a calendar year, except by a foreign national described in section 304(j)(3)(A) or (C); and
(c) Effective Date.—The amendments made by this section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act.

SECTION 202. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

(a) Application to Disbursements to Super PACs.—Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by striking the semicolon and inserting the following:
``(1) by striking any disbursement to a political committee which accepts donations or contributions that do not comply with the limitations, prohibitions, or requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions);''

(b) Conditions Under Which Corporate PACs May Make Contributions and Expenditures.—Section 319(b) of such Act (52 U.S.C. 30121(b)) is amended by adding at the end of the following new paragraph:
``(8) A separate segregated fund established by a corporation may not make a contribution or expenditure during a year unless the fund has certified to the Commission the following during the financial year in which the certification was made by this section shall apply with respect to elections held in 2021 or any succeeding year.

SECTION 203. AUDIT AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) Audit.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by inserting after section 304(j)(3), as amended by section 117, is further amended by adding at the end following new subsection:
``(c) Certification of Compliance Required Prior to Carrying Out Activity.—Prior to the making in connection with an election for Federal office of any contribution, expenditure, independent expenditure, independent expenditure, or disbursement for an electioneering communication by a corporation, limited liability corporation, or partnership during a calendar year, except by a foreign national described in section 304(j)(3)(A) or (C).

(b) Certification of Compliance Required Prior to Carrying Out Activity.—Prior to the making in connection with an election for Federal office of any contribution, expenditure, independent expenditure, independent expenditure, or disbursement for an electioneering communication by a corporation, limited liability corporation, or partnership during a calendar year, except by a foreign national described in section 304(j)(3)(A) or (C).

(c) Certification of Compliance Required Prior to Carrying Out Activity.—Prior to the making in connection with an election for Federal office of any contribution, expenditure, independent expenditure, independent expenditure, or disbursement for an electioneering communication by a corporation, limited liability corporation, or partnership during a calendar year, except by a foreign national described in section 304(j)(3)(A) or (C).

SECTION 204. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTIONS WITH BALLOT INITIATIVES AND REFERENDA.

(a) In General.—Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by striking the following before the end of each Federal election cycle, the fund has certified to the Commission the following during the cycle.
``(C) The fund does not solicit or accept recommendations from any foreign national under section 319 with respect to the contribution or expenditure made by the fund to the individual or organization. Any donation, expenditure, or disbursement is made by a covered foreign national to a foreign national described in section 304(j)(3)(C); and
(2) by striking subparagraph (C) and inserting the following:
``(C) an expenditure;''
``(D) an independent expenditure;''
``(E) a disbursement for an electioneering communication (within the meaning of section 304(f));
(F) a disbursement for a communication which is placed or promoted for a fee on a website, web application, or digital application that refers to a clearly identified candidate for election for Federal office and is disseminated within 60 days before a general, special, or runoff election for the office sought by the candidate or 90 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate for the office sought by the candidate;''
``(G) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);''
``(H) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);''
``(I) a disbursement by a covered foreign national described in section 304(j)(3)(C) to compensate any person for internet activity that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the activity communication contains express advocacy or the functional equivalent of express advocacy);''
``(J) a disbursement by a covered foreign national described in section 304(j)(3)(C) to compensate any person for internet activity that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the activity communication contains express advocacy or the functional equivalent of express advocacy);''

(b) Effective Date.—The amendments made by this section shall apply with respect to elections held in 2021 or any succeeding year.

SECTION 205. EXPANSION OF LIMITATIONS ON FOREIGN NATIONALS PARTICIPATING IN POLITICAL ADVERTISING.

(a) Disbursements Described.—Section 319(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)) is amended—
(1) by striking “or” at the end of subparagraph (B); and 
(2) by striking subparagraph (C) and inserting the following:
``(C) transfers of money from a foreign national to a person for the purpose of spending money in connection with an election, including a State or local ballot initiative or referendum;”

(b) Effective Date.—The amendments made by this section shall apply with respect to elections held in 2021 or any succeeding year.
TITLE III—DETERMINING EXISTENCE OF COORDINATION BETWEEN CAMPAIGNS AND POLITICAL COMMITTEES

SEC. 301. RESTRICTIONS ON EXCHANGE OF INFORMATION BETWEEN CANDIDATES AND FOREIGN POWERS.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121), as amended by section 117 and section 201(b), is further amended by adding at the end the following new subsection:

“(e) RESTRICTIONS ON EXCHANGE OF INFORMATION BETWEEN CANDIDATES AND FOREIGN POWERS.—

“(1) TREATMENT OF OFFER TO SHARE NONPUBLIC CAMPAIGN MATERIAL AS SOLICITATION OF CONTRIBUTION FROM FOREIGN NATIONAL.—If a candidate or an individual affiliated with the campaign of a candidate, or if a political committee or an individual affiliated with a political committee, provides or offers to provide nonpublic campaign material to a covered foreign national or to another person whom the candidate, committee, or individual knows or has reason to know will provide a covered foreign national, the candidate, committee, or individual (as the case may be) shall be considered for purposes of this section to have solicited a contribution or donation described in subsection (a)(1)(A) from a covered foreign national.

“(2) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) The term ‘candidate’ means an individual who seeks nomination for, or election to, any Federal, State, or local public office.

“(B) The term ‘covered foreign national’ has the meaning given such term in section 301(c)(3)(C).

“(C) The term ‘individual affiliated with a campaign’ means, with respect to a candidate, an individual who performs services on behalf of the candidate, an employee of any organization legally authorized under Federal, State, or local law to support the candidate’s campaign for nomination for, or election to, any Federal, State, or local public office, as well as any independent contractor of such an organization and any individual who performs services on behalf of the committee, whether paid or unpaid.

“(D) The term ‘individual affiliated with a political committee’ means, with respect to a political committee, an individual who performs services on behalf of the committee as well as any independent contractor of the committee and any individual who performs services on behalf of the committee, whether paid or unpaid.

“(E) The term ‘nonpublic campaign material’ means, with respect to a candidate or a political committee, campaign material that is produced by the candidate or the committee or produced at the candidate or committee’s expense or request which is not distributed or made available to the general public or otherwise made available to the public domain, including polling and focus group data and opposition research, except that such term does not include material produced for purposes of consultations relating solely to the candidate’s or committee’s position on a legislative or policy matter.”.

SEC. 302. CLARIFICATION OF STANDARD FOR DETERMINING EXISTENCE OF COORDINATION BETWEEN CAMPAIGNS AND POLITICAL COMMITTEES.

Section 315(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended by adding at the end the following new paragraph:

“(10) For purposes of paragraph (7), an expenditure or disbursement may be considered to have been made in cooperation, consultation, or coordination with another person without regard to whether or not the cooperation, consultation, or coordination is carried out pursuant to agreement or formal collaboration.”.

Subtitle B—Prohibiting Deceptive Practices and Preventing Voter Intimidation

SEC. 311. SHORT TITLE.

This subtitle may be cited as the “Deceptive Practices and Voter Intimidation Prevention Act of 2020”.

SEC. 312. PROHIBITION ON DECEPTIVE PRACTICES IN FEDERAL ELECTIONS.

(a) PROHIBITION.—Subsection (b) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)) is amended—

“(1) by striking “No person” and inserting the following:

“(1) IN GENERAL.—No person; and

“(2) by inserting at the end the following new paragraph:

“(2) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

“(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

“(i) knows such information to be materially false; and

“(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

“(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

“(i) the time, place, or manner of holding any election described in paragraph (5); or

“(ii) the qualifications or restrictions on voter eligibility for any such election, including—

“(I) any criminal penalties associated with voting in any such election; or

“(II) information regarding a voter’s registration status or eligibility.

“(C) FALSE STATEMENTS REGARDING PUBLIC ENDORSEMENTS.—

“(A) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to communicate or cause to be communicated false statements regarding public endorsements within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, or cause to be communicated, a materially false statement about an endorsement, if such person—

“(i) knows such statement to be false; and

“(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

“(B) DEFINITION OF ‘MATERIALLY FALSE’.—For purposes of subparagraph (A), a statement about an endorsement is ‘materially false’ if, with respect to an upcoming election described in paragraph (5),

“(i) the statement states that a specifically named person, political party, or organization has endorsed the election of a specific candidate; or

“(ii) such person, political party, or organization has not endorsed the election of such candidate.

“(C) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—No person, whether acting under color of law or otherwise, shall, with the intent to impede or prevent another person from exercising the right to vote in an election described in subsection (e),

“(i) hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in subsection (e); or

“(ii) false statements regarding another person from exercising the right to vote in an election described in subsection (e).

“(D) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

“(i) the time, place, or manner of holding any election described in subsection (e); or

“(ii) the qualifications or restrictions on voter eligibility for any such election, including—

“(I) any criminal penalties associated with voting in any such election; or

“(II) information regarding a voter’s registration status or eligibility.

“(E) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

“(F) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—

“(1) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to intentionally hinder, interfere with, or prevent another person...
from voting, registering to vote, or aiding another person to vote or register to vote in an election described in subsection (e).

(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

(d) ATTEMPT.—Any person who attempts to commit a deceptive practice described in section (a), (b)(1), or (c)(1) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

(e) ELECTION DESCRIBED.—An election described in this subsection is any general, primary, run-off, or special election held solely or in connection with the election of a person to the Senate, the House of Representatives, or the office of Governor, Governor-elect, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.

(2) MODIFICATION OF PENALTY FOR VOTER INTIMIDATION.—Section 594(a) of title 18, United States Code, as amended by paragraph (1), is amended by striking “fined under this title or imprisoned not more than one year” and inserting “fined not more than $100,000, imprisoned for not more than 5 years”.

(3) SENTENCING GUIDELINES.—

(A) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 594 of title 18, United States Code, as amended by this section.

(B) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal sentencing Guidelines in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 594 of title 18, United States Code, as amended by this section.

(2) INCLUSION OF APPROPRIATE DEADLINES.—Each report submitted under subsection (a) shall include—

(A) a description of each allegation of a deceptive practice described in paragraph (a), including the geographic location, racial and ethnic composition, and language minority-group membership of the persons toward whom the alleged deceptive practice was directed;

(B) the status of the investigation of each allegation described in subparagraph (A);

(C) a description of each corrective action taken by the Attorney General under section 594(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 312(a), relating to the general election for Federal office held in the 2 years preceding the general election.

(3) REQUIREMENTS RELATING TO SAFETY.—

(A) EXCLUSION OF CERTAIN OTHER INFORMATION.—Each report submitted under subsection (a) shall not include—

(i) Any information that is privileged.

(ii) Any information concerning an ongoing investigation.

(iii) Any information concerning a criminal or civil proceeding conducted under seal.

(iv) Any other information that the Attorney General determines the disclosure of which could reasonably be expected to infringe on the rights of any individual or adversely affect the integrity of a pending or future criminal investigation.

(B) REPORT MADE PUBLIC.—On the date that the Attorney General submits the report referred to in paragraph (1), the Attorney General shall also make the report publicly available through the internet and other appropriate means.

(MISCELLANEOUS PROVISIONS)

SEC. 401. EFFECTIVE DATES OF PROVISIONS.

Each provision of this division and each amendment made by a provision of this division shall take effect on the effective date provided under this division for such provision or such amendment without regard to whether or not the Federal Election Commission, the Attorney General, or any other person has promulgated rules to carry out such provision or such amendment.

SEC. 402. SEVERABILITY.

If any provision of this division or any amendment made by the division or the application of a provision of this division or an amendment made by this division to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of the provisions of this Act to any person or circumstance, shall not be affected by the holding.

SA 1950. Ms. KLOBUCHAR (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

DIVISION E—NATIONAL DISASTER AND EMERGENCY BALLOT ACT

SEC. 101. SHORT TITLE.

This division may be cited as the “Natural Disaster and Emergency Ballot Act of 2020.”

SEC. 102. REQUIREMENTS FOR FEDERAL ELECTION CONTINGENCY PLANS IN RESPONSE TO NATURAL DISASTERS AND EMERGENCIES.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, each State and jurisdiction shall establish and make publicly available a contingency plan to enable qualified individuals (as defined in section 322(h) of the Help America Vote Act of 2002, as added by section 105(a), to vote in elections for Federal office during a state of emergency, public health emergency, or state of disaster, which has been declared for reasons including, but not limited to—

(A) a natural disaster; or

(B) infectious or other public health emergencies.

(2) UPDATING.—Each State and jurisdiction shall update the contingency plan established under this subsection not less frequently than every 5 years.

(3) REQUIREMENTS RELATING TO SAFETY.—

(A) IN GENERAL.—The contingency plan established under subsection (a) shall include initiatives to provide and resources needed to protect the health and safety of voters, pollworkers, and election officials...
workers when voting in person or by mail and throughout the election process, which shall include—
(A) the procurement and use of personal protective equipment, sanitizing supplies and equipment, disinfecting supplies and equipment, disposable voting equipment, and the implementation of personal distancing guidelines; and
(B) the use or implementation of any other equipment and protocols which health experts have determined will protect the health and safety of voters, pollworkers, and election workers.

(2) MINIMUM PROTOCOLS.—The contingency plan established under subsection (a) shall include initiatives by the chief State election official and local election officials to recruit poll workers for the November, 2020, general election and subsequent elections from resilient or unaffected populations, which may include—
(1) other State and local government offices;
(2) high schools and colleges in the State for the November, 2020, general election and in subsequent elections for Federal office in the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands, and the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(g) ENFORCEMENT.—
(1) ATTORNEY GENERAL.—The Attorney General may institute a civil action against any State or jurisdiction in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, permanent or temporary injunction, or other order) as may be necessary to carry out the requirements of this section.
(2) PRIVATE RIGHT OF ACTION.—
(A) IN GENERAL.—In the case of a violation of this section, any person who is aggrieved by such violation may provide written notice of the violation to the chief election official of the State involved.
(B) RELIEF.—If the violation is not corrected within 20 days after receipt of a notice under subparagraph (A), or within 5 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

SEC. 103. REQUIREMENT TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE VOTING.

(a) REQUIREMENTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081) is amended by adding at the end the following new subtitle:
"Subtitle C—Additional Requirements
SEC. 321. AVAILABILITY OF EARLY VOTING AND VOTING BY MAIL.
''(a) In General.—State and jurisdiction shall, with respect to the 2020 general election occurring on November 3, 2020, and each subsequent election for Federal office—
(1) allow individuals to vote in such election prior to the date of the election through—
(A) early voting which meets the requirements of subsection (c);
(B) voting by mail which meets the requirements of subsection (d);
(C) publicize the details of any voting allowed under paragraph (1);
(D) comply with the absentee voter requirements of subsection (d);
(E) comply with the ballot processing and screening requirements of subsection (e); and
(F) when applicable, comply with the special rules in case of emergency periods under subsection (f).
''(b) EARLY VOTING.—
(1) IN GENERAL.—Early voting meets the requirements of this subsection if—
(A) such voting occurs—
(i) for a period preceding the date of the election so that such days constitute consecutive weekdays and include at least one weekend, which period may end on a day chosen by the chief election official of the State that is between the date of the election and 4 days preceding such date; and
(ii) for no less than 10 hours on each of the 28 days such early voting occurs; and
(B) each early voting location in the State makes ballot drop-off boxes available consistent with section (c)(2) for voters to submit their voted and sealed absentee ballots.
''(c) VOTING BY MAIL.—Voting by mail meets the requirements of this subsection if—
(1) the State does not require an excuse in order to obtain and cast a ballot by mail for an election for Federal office;
(2) the State makes ballot drop-off boxes available at least 45 days prior to the date of an election for Federal office and up until the closing of polls on the date of the election and ensures that such ballot drop-off boxes are—
(A) available to all voters on a non-discriminatory basis;
(B) accessible to voters with disabilities;
(C) accessible—
(i) by public transportation; and
(ii) during all hours of the day; and
(D) sufficiently available in all communities in the State, including rural communities and on Tribal lands;
(3) the State permits any eligible voter to submit an online request for an absentee ballot to vote in an election for Federal office, with requirement to comply with subparagraph (A), with the Chief election official of the State involved under paragraph (A), which requirement is satisfied if—
(A) allows an absentee ballot request application to be completed and submitted online and if—
(1) an absentee ballot request application to be printed for the voter to complete and mail;
(2) a voter is able to submit an online request via the internet to have a hard-copy absentee ballot request application mailed or e-mailed to them to complete and mail;
(3) the State permits a voter to designate any person other than the voter to designate any person to submit their voted and sealed absentee ballot and that request is received by the appropriate election official before the date that is 5 days, not including weekend days, before the date of such election, except that nothing in this paragraph shall preclude a State or local jurisdiction from allowing for the acceptance and processing of ballot requests submitted online after such period if—
(B) the State permits any eligible voter to have the option to request an absentee ballot for subsequent elections on all absentee ballot request application;
(C) the State does not require any form of identification for an absentee ballot request;
(7) the State does not include any requirement for notarization or witness signature or other formal authentication (other than voter attestation);
(8) the State allows a voter to sign a voter attestation for a 2020 election on an absentee ballot by not requiring a mark or signature stamp or by providing a signature with the use of an assistant due to age, self-certified disability, or other need;
(9) the State permits voters to submit an absentee ballot by dropping it off at designated locations before the close of polls on the date of the election, including at any polling location on the date of the election before the close of polls;
(10) the State—
(A) permits a voter to designate any person to return a voter to designate any person to return an absentee ballot to the post office, a ballot drop-off location, tribally designated location, or election office and such person designated to return an absentee ballot to be submitted and receive any form of compensation based on the number of ballots that the person has returned.
the election.

(11) The State permits any eligible voter that submits a request for an absentee ballot to vote in such election, but does not receive their absentee ballot at least 2 days prior to election day to download and mark at home an absentee ballot provided by the State pursuant to section 103C of the Uniformed Overseas Citizens Absentee Voting Act or section 222 of the Social Security Act (42 U.S.C. 1320b–5).

(12) The State ensures that any voting materials (as defined in section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503)) provided for purposes of voting by mail, including but not limited to ballots and voter education materials, meet the language requirements under such section 203.

DEADLINE REQUIREMENTS.—The requirements described in this subsection are that a State shall count a ballot submitted by an individual by mail with respect to an election for Federal office by the State if the ballot is received by the State service to have been mailed on or before the date of the election, including any necessary postmark or other evidence that it was mailed, and the State opens the envelope containing the ballot without delay after receipt of the ballot.

(1) If it is postmarked, signed, or otherwise indicated by the United States Postal Service as having been mailed on or before the close of polls on the date of the election; and

(2) received by the appropriate State election official on or before the date that is 10 days before the date of such election.

(e) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

(1) IN GENERAL.—The requirement described in this subsection is that the State begins processing and scanning ballots cast during early voting or through vote by mail for tabulation at least 14 days prior to election day.

(2) LIMITATION.—Nothing in this subsection shall allow for the tabulation of ballots before the close of polls on the date of the election.

(f) SPECIAL RULES IN CASE OF EMERGENCY PERIODS.—

(1) AUTOMATIC MAILING OF ABSENTEE BALLOTS TO ALL VOTERS.—If the area in which an emergency is held is in an area in which an emergency or disaster which is described in subparagraph (D) of section 133(g)(1) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)) is declared during the period described in paragraph (3) but not later than 2 weeks before the date of the election, the appropriate State or local election official shall transmit by mail absentee ballots and balloting materials for the election to all individuals who are registered to vote in such election or, in the case of any State that does not register voters, all individuals who are in the State’s central voter file (or if the State does not have a central voter file, to all individuals who are eligible to vote in such election) in a manner consistent with all applicable laws, including section 203 of the Voting Right Act of 1965 (52 U.S.C. 10503).

(2) AFFIRMATION.—If an individual receives an absentee ballot from a State or local election official pursuant to paragraph (1) and returns the voted ballot to the official, the ballot shall not be counted in the election unless the individual includes with the ballot a signature or other authentication authorized by the State.

(A) The individual has not and will not cast another ballot with respect to the election; and

(B) The State acknowledges that a material misstatement of fact in completing the ballot may constitute grounds for conviction of perjury.

(3) PERIOD DESCRIBED.—The period described in this paragraph with respect to an election is the period which begins 120 days before the date of the election and ends 30 days before the date of the election.

(4) APPLICATION TO NOVEMBER 2020 GENERAL ELECTION.—Because of the public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d) resulting from the COVID–19 pandemic, the special rules set forth in this subsection shall apply to the regularly scheduled general election for Federal office held in November 2020 in each State.

(g) STATE.—For purposes of this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(3) AFFIRMATION.—If an individual submits in any manner a printed absentee ballot—

(A) Notarizes or witnesses the ballot; or

(B)knows that a material misstatement of fact in completing the ballot may constitute grounds for conviction of perjury.

(4) SPECIAL RULE.—(If the violation occurred within 5 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief or other appropriate relief for the violation).

(c) PRIVATE RIGHT OF ACTION.—Title IV of the Help America Vote Act of 2002 (52 U.S.C. 21111 et seq.) is amended by adding at the end the following new section: SEC. 405. PRIVATE RIGHT OF ACTION FOR VIOLATIONS OF THE NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020.

(a) IN GENERAL.—In the case of a violation of section 103, subsection (g) of section 402 shall not apply and any person who is aggrieved by such violation may provide written notice of the violation to the chief election official of the State involved:

(b) RELIEF.—If the violation is not corrected within 20 days after receipt of a notice under subsection (a), or within 5 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief or other appropriate relief for the violation.

(c) SPECIAL RULE.—If the violation occurred within 5 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State involved under subsection (a) before bringing a civil action under subsection (b).

(d) CONFORMING AMENDMENT RELATING TO VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 311(b) of such Act (52 U.S.C. 2110) is amended by striking ‘‘and’’ and inserting ‘‘and’’:

(2) in paragraph (4), by striking the period ‘‘.’’ and adding ‘‘;’’; and

(3) in paragraph (5), by striking ‘‘and’’ and adding ‘‘;’’.

(e) CERIAL AMENDMENTS.—The table of contents of such Act is amended—

(1) by inserting after the item relating to section 312 the following:

Subtitle C—Additional Requirements

Sec. 321. Availability of early voting and voting by mail.

(b) at the end of the item relating to section 402 the following:

Sec. 403. Use of downloadable and printable absentee ballots prescribed by States under sections 103 of the Uniformed and Overseas Citizens Absentee Voting Act of 2002.

SEC. 104. USE OF DOWNLOADABLE AND PRINTABLE ABSSENTEE BALLOTS PROVIDED BY STATES UNDER UOCAVA FOR VOTERS WITH DISABILITIES AND THOSE WHO HAVE NOT RECEIVED A BALLOT TO VOTE IN 2020 GENERAL ELECTION AND SUBSEQUENT FEDERAL ELECTIONS UNTIL DOMESTIC DOWNLOADABLE AND PRINTABLE BALLOT PRESCRIBED BY EAC IS AVAILABLE.

(a) IN GENERAL.—

(1) STATE RESPONSIBILITIES.—Each State shall, with respect to the 2020 general election occurring on November 3, 2020 and subseuent elections for Federal office (until such time as the Election Assistance Commission prescribes a domestic downloadable and printable absentee ballot for use in elections for Federal office pursuant to section 297 of the Help America Vote Act of 2002), permit qualified individuals to use downloadable and printable absentee ballots transmitted by the State in the same manner and under the same terms and conditions under which the State transmits such ballots to absent uniform services voters and overseas voters under the provisions of section 102(f) to vote in such election.

(2) REQUIREMENTS.—Such downloadable and printable absentee ballots—

(A) must comply with the language requirements under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503); and

(B) must comply with the disability requirements under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

APPLICATION OF REQUIREMENTS.—The provisions of section 103 shall apply with respect to the use of such downloadable and printable absentee ballots by qualified individuals pursuant to this section in the same manner as such provisions apply with respect to the use of such ballots by absent uniform services voters and overseas voters pursuant to section 103.

(4) CLARIFICATION REGARDING FREE POSTAGE.—Such downloadable and printable absentee ballots of qualified individuals pursuant to this section shall be considered balloting materials as defined in section 107 for purposes of section 306 of title 39, United States Code.

(5) PROHIBITING REFUSAL TO ACCEPT BALLOT FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid downloadable and printable absentee ballot that is submitted in any manner by a qualified individual solely on the basis of the following:

(A) Notarization or witness signature requirements.

(B) Restrictions on paper type, including weight and size.

(C) Restrictions on envelope type, including weight and size.

(b) QUALIFIED INDIVIDUAL.—For purposes of this section:

(1) IN GENERAL.—Except as provided in paragraph (2), the term ‘qualified individual’ means any individual who is otherwise qualified to vote in an election for Federal office and who—

(A)(i) has requested an absentee ballot from the State or jurisdiction where such individual is registered to vote; and

(ii) has not received such absentee ballot at least 2 days before the date of the election;

(2) LIMITATION.—(A) Notwithstanding paragraph (1), a State may accept an absentee ballot submitted by an individual who is otherwise qualified to vote in an election for Federal office and who—

(A) has requested an absentee ballot from the State or jurisdiction where such individual is registered to vote; and

(B) is expected to be absent from such individual’s jurisdiction on the day of the election for Federal office due to professional or volunteer service in response to a natural disaster or emergency as so declared;

(3) IN GENERAL.—The United and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) is amended by inserting after section 103B the following new section:

SEC. 103C. REQUIREMENTS UNDER UOCAVA FOR VOTERS WITH DISABILITIES AND THOSE WHO HAVE NOT RECEIVED A BALLOT TO VOTE IN 2020 GENERAL ELECTION AND SUBSEQUENT FEDERAL ELECTIONS UNTIL DOMESTIC DOWNLOADABLE AND PRINTABLE BALLOT PRESCRIBED BY EAC IS AVAILABLE.
“(D) is an individual with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)) and resides in a state which does not offer voters the ability to use secure and accessible remote ballot marking.

For purposes of subparagraph (D), a State shall permit an individual to self-certify that the individual is an individual with a disability.

“(2) COORDINATION WITH FEDERAL WRITE-IN BALLOT FOR ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.—The term ‘qualified individual’ shall not include an individual who—

“(A) is an absent uniformed services voter or an overseas voter; and

“(B) is entitled to vote using the Federal write-in absentee ballot prescribed under section 103.

“(c) STATE.—For purposes of this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) CONFORMING AMENDMENT.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)) is amended by striking “and” at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting “; and”, and by adding at the end the following new paragraph:

“(12) meet the requirements of section 103C with respect to use of downloadable and printable absentee ballots for qualified individuals to vote in 2020 general election.”

(c) CLERICAL AMENDMENTS.—The table of contents of such Act is amended by inserting the following after section 103:

“Sec. 103A. Procedures for collection and delivery of marked absentee ballots of absent overseas uniformed services voters.

“Sec. 103B. Amendments to voting assistance program improvements.

“Sec. 103C. Use of downloadable and printable absentee ballots provided under socava for qualified individuals to vote in 2020 general election.”

SEC. 105. DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE BY VOTERS WITH DISABILITIES AND IN EMERGENCIES STARTING IN 2022.

(a) STATE REQUIREMENT—

“(1) IN GENERAL.—Each State shall permit qualified individuals to use a downloadable and printable absentee ballot prescribed by the Election Assistance Commission under section 297 to cast a vote in any election for Federal office; and

“(2) REQUIREMENTS.—Such downloadable and printable absentee ballots—

“(A) must comply with the language requirements under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10506); and

“(B) must comply with the disability requirements under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(b) QUALIFIED INDIVIDUAL.—For purposes of this section:

“(1) IN GENERAL.—Except as provided in paragraphs (4) and (5) of this title, ‘qualified individual’ means any individual who is otherwise qualified to vote in an election for Federal office and who—

“(A) has requested an absentee ballot from the State or jurisdiction where such individual is registered to vote; and

“(B) has not received such absentee ballot at least 2 days before the date of the election;

“(C) resides in a state with respect to which an emergency or public health emergency has been declared by the Governor or chief government official of the State or chief government official of an area, 5 days before election day under the laws of the State due to reasons including, but not limited to—

“(1) a natural disaster, including severe weather;

“(2) an infectious disease; and

“(3) restrictions on envelope type, including weight and size.

“(2) Restrictions on envelope type, including weight and size.

“(3) Restrictions on envelope type, including weight and size.

“(C) expects to be absent from such individual’s jurisdiction on the day of the election for Federal office due to professional or volunteer service in response to a natural disaster or emergency as so declared;

“(D) is hospitalized or expects to be hospitalized on the day of the election for Federal office; or

“(E) is an individual with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)) and resides in a state which does not offer voters the ability to use secure and accessible remote ballot marking.

For purposes of subparagraph (E), a State shall permit an individual to self-certify that the individual is an individual with a disability.

“(2) COORDINATION WITH FEDERAL WRITE-IN BALLOT FOR ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.—The term ‘qualified individual’ shall not include an individual who—

“(A) is an absent uniformed services voter or an overseas voter;

“(B) is entitled to vote using the Federal write-in absentee ballot prescribed under section 103 of such Act (52 U.S.C. 20303(5)); and

“(C) acknowledging that a material misstatement of fact in casting the ballot may constitute grounds for conviction of perjury.

“(2) AFFIRMATION.—The ballot prescribed under paragraph (1) shall contain an affirmation, signed by the person submitting the ballot, that—

“(A) such individual is a qualified individual (as defined in section 322(b));

“(B) such individual will not cast another ballot with respect to the election for which the domestic downloadable and printable absentee ballot is cast; and

“(C) acknowledges that a material misstatement of fact in casting the ballot may constitute grounds for conviction of perjury.

“(2) AVAILABILITY.—The Commission shall make the domestic downloadable and printable absentee ballot available on the Internet in a print format.

“(c) REQUIREMENTS.—The domestic downloadable and printable absentee ballot shall be compliant with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) and shall not transmit any Federal write-in absentee ballot for domestic use.

“(d) FORM OF BALLOT.—(1) IN GENERAL.—The Commission shall prescribe a domestic downloadable and printable ballot (including a secrecy envelope and mailing envelope for such ballot) for use in elections for Federal office that meets the requirements of section 103 for qualified individuals (as defined in section 232(b)).

“(2) CONFORMING AMENDMENTS.—(A) Section 203 of the Help America Vote Act of 2002 (52 U.S.C. 20921) is amended by inserting after the item relating to section 321, as added by section 103, the following:

“Sec. 297. Downloadable and printable absentee ballot for domestic use.

“(a) FORM OF BALLOT.—

“(1) IN GENERAL.—The Commission shall prescribe a domestic downloadable and printable absentee ballot (including a secrecy envelope and mailing envelope for such ballot) for use in elections for Federal office that meets the requirements of section 103 for qualified individuals.

“(B) State.—For purposes of this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

“(c) STATE.—For purposes of this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

“(d) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of this section on and after January 1, 2023.”.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 321, as added by section 103, the following:

“Sec. 297. Downloadable and printable absentee ballot for domestic use.”

(3) Restrictions on envelope type, including weight and size.

“PART VII—DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE.

“SEC. 297. DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE.

“(a) FORM OF BALLOT.—(1) IN GENERAL.—The Commission shall prescribe a domestic downloadable and printable ballot (including a secrecy envelope and mailing envelope for such ballot) for use in elections for Federal office that meets the requirements of section 103 for qualified individuals (as defined in section 232(b)).

“(2) AVAILABILITY.—The Commission shall make the domestic downloadable and printable absentee ballot available on the Internet in a print format.

“(c) REQUIREMENTS.—The domestic downloadable and printable absentee ballot shall be compliant with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) and shall not transmit any Federal write-in absentee ballot for domestic use.

“(d) FORM OF BALLOT.—(1) IN GENERAL.—The Commission shall prescribe a domestic downloadable and printable absentee ballot (including a secrecy envelope and mailing envelope for such ballot) for use in elections for Federal office that meets the requirements of section 103 for qualified individuals.

“(B) State.—For purposes of this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

“(c) STATE.—For purposes of this section, the term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

“(d) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of this section on and after January 1, 2023.”.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 321, as added by section 103, the following:

“Sec. 297. Downloadable and printable absentee ballot for domestic use.”
This is a plain text representation of a document that discusses provisions related to absentee voting, voter registration, and mail-in ballots. It includes sections such as the use of prepaid self-sealing return envelopes, requirements for prepaid return envelopes, and updates on the status of absentee ballots. The text is focused on federal elections, and it references the Help America Vote Act of 2002 and other related legislation. The document highlights the need for timely processing of absentee ballots and the provision of updated information to voters. It also mentions the importance of ensuring that voters receive their ballots in a timely manner and that the status of their ballots is accurately tracked and reported. The text is structured to provide a clear overview of the requirements and updates necessary for the implementation of these provisions.
the Commission such sums as are necessary for carrying out this section, to remain available without fiscal year limitation.’’.

(b) CONFORMING AMENDMENTS.—

(i) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922), as amended by section 105(b), is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, by inserting after paragraph (5) the following new paragraph:

‘‘(6) carrying out the duties described in part 6 (relating to ballot materials status update services):’’;

(ii) The table of contents for such Act is amended by inserting after the item relating to section 297 the following:

‘‘PART 108. REIMBURSEMENTS FOR USE OF BALLOTING MATERIALS STATUS UPDATE SERVICE—Sec. 296. Reimbursements for use of ballot materials status update services.’’;

SEC. 108. NOTICE AND CURE PROCESS REQUIRED FOR MISMATCHED SIGNATURES ON MAIL-IN AND PROVISIONAL BALLOTS.

(a) In General.—Subtitle C of title III of the Help America Vote Act of 2002, as added by section 103 and amended by sections 105 and 106, is amended by adding at the end the following new section:

‘‘SEC. 324. SIGNATURE MISMATCH ON BALLOT SUBMITTED BY MAIL OR PROVISIONAL BALLOT.

‘‘(a) COVERED STATE DEFINED.—

‘‘(1) IN GENERAL.—Subject to paragraph (2), in this section, the term ‘covered State’ means a State in which such State law, a ballot submitted by mail or a provisional ballot is not counted as a vote in an election for Federal office unless the State verifies the signature of the individual who submitted such ballot by comparing the signature on the envelope containing such ballot or a document accompanying such ballot and the signature of such individual on the official list of registered voters in the State or other official record, or other document.

‘‘(2) EXCEPTION FOR CERTAIN STATES.—Such term shall not include a State which conducted a Federal election entirely through vote by mail prior to 2020.

(b) NOTICE REQUIRED.—

‘‘(1) IN GENERAL.—An individual submits a ballot by mail or a provisional ballot in an election for Federal office in a covered State, and the appropriate State or local election official or the applicable State or Indian Tribe shall provide confirmation of such submission to the individual by comparing the signature on the envelope containing such ballot or a document accompanying such ballot used to verify the signature of such individual on the official list of registered voters in the State or other official record, or other document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall make a good faith effort to immediately notify such individual that—

‘‘(A) a discrepancy exists between the signature on the envelope containing such ballot or a document accompanying such ballot used to verify the signature of such individual on the official list of registered voters in the State or other official record, or other document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall make a good faith effort to immediately notify such individual that—

‘‘(B) such individual may provide information to cure such discrepancy in accordance with the procedures established pursuant to subsection (b) before the end of the applicable period established by the State or other official record, or other document used by the State to verify the signatures of voters, such election official; and

‘‘(C) if such discrepancy is not cured, such ballot will not be counted.

(2) FORM OF NOTICE.—An election official shall provide notice as required by paragraph (1) within 10 calendar days of the determination that a discrepancy exists by mail and at least one of the following methods:

‘‘(A) Phone.

‘‘(B) Electronic mail.

‘‘(C) Text message.

‘‘(3) NO EFFECT ON OTHER NOTICE REQUIREMENTS RELATED TO PROVISIONAL BALLOTS.—In the case of an individual who submits a provisional ballot, such notice shall be provided in accordance with subparagraph (A) and in any other manner required by law. This subsection shall be in addition to the requirements applicable to such an individual under section 302(a).

‘‘(d) OPPORTUNITY TO CURE.—

‘‘(1) ESTABLISHMENT OF PROCEDURES.—A covered State shall establish uniform and non-discriminatory procedures—

‘‘(A) to allow an individual to whom notice is provided under subsection (b) to provide confirmation or information to cure the discrepancy described in subsection (b)(1) through the same form in which the notice is provided pursuant to subsection (b)(1); and

‘‘(B) if such confirmation or information is rejected, to appeal the rejection.

‘‘(2) TRAINING REQUIREMENT.—The State or local election official or the applicable State or Indian Tribe shall provide training to election officials making determinations under this section.

‘‘(A) Given the widespread lack of representation and labor force participation among Native American communities, the applicable State or Indian Tribe shall provide training to election officials making determinations under this section.

‘‘(B) The applicable State or Indian Tribe shall provide training to election officials making determinations under this section.

‘‘(B) TRAINING REQUIREMENT.—A covered State shall establish uniform and non-discriminatory procedures—

‘‘(1) to allow an individual to whom notice is provided under subsection (b) to provide confirmation or information to cure the discrepancy described in subsection (b)(1); and

‘‘(ii) if such confirmation or information is rejected, to appeal the rejection.

‘‘(b) Training Requirement.—A covered State shall establish uniform and non-discriminatory procedures—

‘‘(1) to allow an individual to whom notice is provided under subsection (b) to provide confirmation or information to cure the discrepancy described in subsection (b)(1); and

‘‘(ii) if such confirmation or information is rejected, to appeal the rejection.

‘‘(b) Training Requirement.—A covered State shall establish uniform and non-discriminatory procedures—

‘‘(1) to allow an individual to whom notice is provided under subsection (b) to provide confirmation or information to cure the discrepancy described in subsection (b)(1); and

‘‘(ii) if such confirmation or information is rejected, to appeal the rejection.

(c) EFFECTIVE DATE.—This section shall apply with respect to the general election for Federal office held in 2020 and any subsequent election for Federal office.
(C) The address of a designated building that is a ballot pickup and collection location may serve as the residential address and mailing address for voters living on Indian lands where the tribally designated building is in the same precinct as that voter. If there is no tribally designated building within a voter's precinct, the voter may use another tribally designated building within the Indian lands where the voter is located. Voters using a tribally designated building outside of the voter's precinct may use the tribally designated building as a mailing address and may separately designate the voter's appropriate precinct through a description of the voter's address, as specified in section 9428.4(a)(2) of title 11, Code of Federal Regulations.

(D) In the case of a State or political subdivision that is a covered State or political subdivision under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503), that State or political subdivision shall provide absentee or mail-in voting materials in the language of the applicable minority group as well as in the English language, including ballots, translation of voting materials, or other information relating to registration and voting in the language of the applicable minority group as well as in the English language.

(E) EXCEPTIONS.—In the case of a minority group that is not American Indian or Alaska Native, the State or political subdivision subject to the prohibitions of section (b) of this section may provide voting materials required to be furnished in a covered language, in the English language, translation of voting materials, or other information relating to registration and voting in the language of the applicable minority group as well as in the English language.

(PART 9—PAYMENTS TO STATES TO CARRY OUT REQUIREMENTS UNDER NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020 WITH RESPECT TO 2020 GENERAL ELECTION)

SEC. 299. PAYMENTS TO STATES.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Natural Disaster and Emergency Ballot Act of 2020, the Commission shall make a payment to each State.

(b) USE OF FUNDS.—(1) IN GENERAL.—Subject to paragraphs (2) and (3), a State shall use the funds provided under this section—

(A) to comply with and implement the provisions of and amendments made by the Natural Disaster and Emergency Ballot Act of 2020 with respect to the 2020 general election occurring on November 3, 2020; and

(B) to carry out one or more of the following activities with respect to the 2020 general election:

(i) Establishing and implementing contingency plans pursuant to section 102 of the Natural Disaster and Emergency Ballot Act of 2020, including the implementation of requirements specified in subsection (b) of such section and initiatives to recruit pollworkers pursuant to subsection (c) of such section.

(ii) Implementing public awareness and education campaigns and initiatives to ensure voters are aware of election dates and election administration practices.

(iii) Establishing a system for voters to submit an online request for an absentee ballot pursuant to section 102(e) of such Act.

(iv) Implementing requirements with respect to availability of voting prior to election day pursuant to section 321 of this Act.

(v) Purchasing additional and upgrading high volume ballot printers, ballot sorters, envelope extractors, and scanners to send and process absentee ballots and purchasing ballot drop boxes.

(vi) Developing or purchase, implementation, and use of technology to allow election officials to electronically verify a voter’s signature on a ballot envelope against a voter’s signature on file without physically handling the envelope, provided that the technology is not connected to the internet.

(vii) Use of downloadable and printable ballots by qualified individuals pursuant to section 106C of the Uniformed and Overseas Citizens Absentee Voting Act.

(viii) Developing or purchasing secure accessible ballot marking systems for use by voters with disabilities, provided that the systems do not require the voter’s ballot selections to be transmitted over the internet and do not allow for the electronic submission of a marked ballot.

(ix) Improving the accessibility of polling locations, early voting locations, and ballot drop-off boxes.

(x) Implementing a curb-side voting system for voters to cast a ballot safely, accessibly, and privately.

(xi) Providing return envelopes and the postage associated with such envelopes pursuant to section 323 of this Act.

(xii) Ensuring strong chain of custody procedures for handling ballots.

(xiii) Improving the transparency of election procedures to the extent including but not limited to signature verification procedures, election canvasses, and post-election auditing.

SEC. 300. PRIMARY ELECTIONS.—A State may use such funds—

(a) To voluntarily comply with and implement the provisions of and amendments made by the Natural Disaster and Emergency Ballot Act of 2020 with respect to primary elections held in the State during 2020;
“(b) to carry out one or more of the activities described in paragraph (1)(B) with respect to such primary elections; and
“(C) to reimburse political parties for the costs of primary elections.

(2) Amounts available for marking ballots and return envelopes with prepaid postage to eligible voters participating in such primary elections.

(3) LIMITATION.—A State may not use such funds for the electronic return of marked ballots by any voter.

(4) ALLOCATION OF FUNDS.—(A) Amount of payment made to a State under this subsection shall be the minimum payment amount described in paragraph (2) plus the voting age population proportion amount described in paragraph (3).

(5) MINIMUM PAYMENT AMOUNT.—The minimum payment amount described in this paragraph—

“(A) in the case of any of the several States or the District of Columbia, $5,000,000; and
“(B) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, or the United States Virgin Islands, $1,000,000.

(6) VOTING AGE POPULATION PROPORTION AMOUNT.—

“(A) IN GENERAL.—The voting age population proportion amount described in this paragraph is—

“(1) the voting age population proportion amount described in this paragraph minus the total of all of the minimum payment amounts under paragraph (2); and
“(2) the voting age population proportion for the State (as defined in subparagraph (B)).

“(B) VOTING AGE POPULATION PROPORTION DEFINED.—The term ‘voting age population proportion’ means, with respect to a State, the amount equal to the quotient of—

“(i) the voting age population of the State (as reported in the most recent decennial census); and
“(ii) the total voting age population of all States (as reported in the most recent decennial census).

“(d) PASS-THROUGH OF FUNDS TO LOCAL JURISDICTIONS.—

“(1) IN GENERAL.—At least 80 percent of funds made available to a State under a payment under this section shall be passed through to local jurisdictions or Tribal governments to carry out activities described in subsection (b).

“(2) GUIDANCE.—When distributing such funds to local jurisdictions or Tribal governments, a State shall consider prioritizing funding for communities and areas that are most impacted by the COVID-19 coronavirus.

“(3) DEFINITIONS.—In this subsection—

“(A) INDIVIDUAL.—The term ‘individual’ includes the term ‘Indian Tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 465).

“(B) TRIBAL GOVERNMENT.—The term ‘Tribal Government’ means the recognized governing body of an Indian Tribe.

“(c) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated for payments under this section $3,000,000,000.

“(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization under this subsection shall remain available without fiscal year limitation.

“(d) AUTHORIZATION TO USE FUNDS.—

“(1) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922), as amended by section 106(e), is amended by redesignating paragraphs (8) and (9), respectively, and by inserting after paragraph (6) the following new paragraph:

“(7) carrying out the duties described in part 9 relating to payments to States for carrying out requirements under the Natural Disaster and Emergency Ballot Act of 2020 with respect to the 2020 general election;

“(2) the table of contents for such Act is amended by inserting after the item related to section 297 the following:

“PART 9—PAYMENTS TO STATES TO CARRY OUT REQUIREMENTS UNDER NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020 WITH RESPECT TO 2020 GENERAL ELECTION

“Sec. 298. Payments to States.

“SEC. 112. ADJUSTING AMOUNTS OR LIMITATIONS FOR THE ELECTION ASSISTANCE COMMISSION.

“(a) In General.—In addition to any funds otherwise appropriated to the Election Assistance Commission for fiscal year 2020, there is authorized to be appropriated $5,000,000 for fiscal year 2020 in order for the Commission to provide additional assistance and resources to States for improving the administration of elections.

“(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization under this subsection shall remain available without fiscal year limitation.

“SEC. 113. RESEARCH AND DEVELOPMENT FOR THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

“(a) RESEARCH AND DEVELOPMENT OF SIGNATURE GUIDELINES.—The Director of the National Institute of Standards and Technology shall conduct a research study into cybersecurity risks associated with the electronic transmission of marked ballots and ways to mitigate those risks and increase accessibility.

“(b) SCOPE OF STUDY.—The study conducted under this subsection shall include the following:

“(A) An evaluation, comparison, and contrast of the security and accessibility of electronic, fax, voter portals, electronic, or other online transmission systems used by States and local election offices to receive marked ballots including guidance for how such systems can meet the security and accessibility standards for Federal information technology systems set by the National Institute of Standards and Technology Special Publication 800-53, Security and Privacy Controls for Federal Information Systems and Organizations, and accessibility standards set by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.);

“(B) An evaluation of risks and benefits associated with the continued or expanded use of such systems by voters to return their marked ballots, including updating the following reports:

“(i) NISTIR 7551, A Threat Analysis on UOCAVA Voting Systems;


“(C) An evaluation of any risks and benefits associated with the continued or expanded use of such systems by voters with disabilities;

“(D) An evaluation of any cybersecurity improvements which are necessary for such systems and ballots transmitted using such systems to be secure against tampering by foreign intelligence agencies, hackers, and other sophisticated adversaries.

“(D) An evaluation of any risks and benefits associated with using cybertests to assess the risks and vulnerabilities of systems and ballots transmitted using such systems to be accessible for people with any kind of disability.

“(E) An evaluation of any accessibility improvements which are necessary for such systems and ballots transmitted using such systems to be accessible for people with any kind of disability.

“(3) LIMITATION.—A State may not use such funds for the electronic return of marked ballots by any voter.

“(4) AUTHORIZATION.—In addition to any funds otherwise appropriated to the National Institute of Standards and Technology for fiscal year 2020, there is authorized to be appropriated $5,000,000 for fiscal year 2020 to conduct the study under this subsection.

“SEC. 114. MODIFYING PROVISIONS ON FUNDING FOR ELECTION SECURITY GRANTS.

“(a) WAIVER OF MATCHING REQUIREMENT.—


“(b) MODIFICATION OF REPORTING DEADLINES.—

“The first proviso under the heading ‘Election Assistance Commission, Election Security Grants’ in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended by striking ‘within 20 days of each election in the 2020 Federal election cycle in that State,’ and inserting ‘not later than October 30, 2021’.

“(c) EXTENSION FOR USE OF FUNDS.—


“(d) REALLOCATION OF FUNDS.—

“A State may elect to reallocate funds allocated under the heading ‘Election Assistance Commission, Election Security Grants’ in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136)—

“(1) as funds allocated under the heading ‘Election Assistance Commission, Election Security Grants’ in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136)—

“(A) without fiscal year limitation for the heading ‘Election Assistance Commission, Election Security Grants’ in the Financial Services and General Government Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2681) that were spent to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle; or

“(2) as funds allocated under the heading ‘Election Assistance Commission, Election Reform Program’ in the Financial Services and General Government Appropriations Act, 2018 (Public Law 115–141) that were spent to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle;

“(e) EFFECTIVE DATE.—This section shall take effect as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

“SA 1851. Ms. ERNST submitted an amendment in the nature of a substitute, proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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At the appropriate place, insert the following:

SEC. 898. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) and (c), the head of an executive agency may not procure any covered unmanned aircraft system that are manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.

(b) EXEMPTION.—Except—

(1) the Secretary of Homeland Security and the Secretary of Defense are exempt from the restriction under subsection (a) if the operation or procurement—

(A) is for the sole purposes of research, evaluation, testing, training, or analysis for—

(i) electronic warfare;

(ii) information warfare operations;

(iii) development of UAS or counter-UAS technology;

(iv) counterterrorism or counterintelligence activities;

(v) Federal criminal investigations, including forensic examinations; and

(B) is required in the national interest of the United States;

(2) an executive agency may waive the prohibition under subsection (a) on a case-by-case basis with the approval of the Secretary of Homeland Security or the Secretary of Defense and notification to Congress.

SEC. 899. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) PROHIBITION.—

(1) IN GENERAL.—Beginning on the date that is 2 years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(2) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under paragraph (1) applies to any covered unmanned aircraft system that is procured by any executive agency through the method of contracting for the services of covered unmanned aircraft systems.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, and the Attorney General are exempt from the restriction under subsection (a) if the operation or procurement—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for—

(A) electronic warfare;

(B) information warfare operations;

(C) development of UAS or counter-UAS technology;

(D) counterterrorism or counterintelligence activities; or

(E) Federal criminal investigations, including forensic examinations; and

(2) is required in the national interest of the United States.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

SEC. 899A. PROHIBITION ON USE OF FEDERAL FUNDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

SEC. 899B. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

SEC. 899C. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Effective immediately, all executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal property accounting systems, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items' capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data related to covered unmanned aircraft systems manufactured or assembled by a covered foreign entity may be tracked at a classified level.

(c) EXCEPTIONS.—The Department of Defense and Department of Homeland Security may exclude from the full inventory process covered unmanned aircraft systems that are deemed expendable due to mission risk such as recovery issues or that are one-time-use covered unmanned aircraft due to requirements and low cost.

SEC. 899D. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller...
General of the United States shall submit to Congress a report on the amount of commercial off-the-shelf drones and certified unmanned aircraft systems procured by Federal departments and agencies from covered foreign entities.

SEC. 899E. GOVERNMENT-WIDE POLICY FOR PROCUREMENT OF UNMANNED AIRCRAFT SYSTEMS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Department of Homeland Security, Department of Transportation, the Department of Justice, and other Federal entities as determined by the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of UAS—

(1) for non-Department of Defense and non-intelligence community operations; and

(2) through grants and cooperative agreements entered into with non-Federal entities.

(b) Information security.—The policy developed under subsection (a) shall include the following specifications, which to the extent practicable, shall be based on industry standards, guidance, and best practices:

(1) Protections to ensure controlled access of UAS.

(2) Preventing, detecting, and correcting unauthorized access in a timely manner.

(3) Preventing, detecting, and correcting unauthorized storage of data.

(4) Appropriate safeguards necessary to protect sensitive information, including during and after use of UAS.

(5) Appropriate data security to ensure that data is not transmitted to or stored in non-approved locations.

(6) The ability to opt out of the uploading, downloading, or transmitting of data that is not required for the purpose of providing security.

(c) Requirement.—The policy developed under subsection (a) shall include measures to ensure that any data collected, stored, and transmitted data, including personal health information and other protected health information, is protected.

(d) Revisions of acquisition regulations.—Not later than 180 days after the date on which the policy required under subsection (a) is issued, the Administrator of Federal Acquisition Regulation shall revise the Federal Acquisition Regulation, as necessary, to implement the policy; and

(e) Exception.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall incorporate an exemption to the policy for the following reasons:

(1) In the case of procurement for the purpose of training, testing or analysis for—

(A) electronic warfare; or

(B) information warfare operations.

(2) In the case of research, technology, or development of technology to counter UAS.

(3) In the case of a head of the procuring department or agency determining, in writing, that no product that complies with the information security requirements described in such policy is capable of fulfilling mission critical performance requirements, and such determination—

(A) may not be delegated below the level of the Deputy Secretary of the procuring department or agency; and

(B) shall specify—

(i) the quantity of end items to which the waiver applies; the procurement value of which may not exceed $50,000 per waiver; and

(ii) the period over which the waiver applies, which shall be at least 2 years; and

(C) shall be reported to the Office of Management and Budget following issuance of such a determination; and

(D) not later than 30 days after the date on which the determination is made, shall be provided to the Committee on Homeland Security and Government Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

SEC. 899F. STUDY.

(a) Independent Study.—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall seek to enter into a contract with a federally funded research and development center or other entity that will conduct a study of—

(1) the current and future unmanned aircraft systems and national and international market; and

(2) the extent to which unmanned aircraft system domestic market can be extended to include small unmanned aircraft systems.

(b) Submission to OMB.—Upon completion of the study in subsection (a), the Director shall submit the study to the Office of Management and Budget.

(c) Submission to Congress.—Not later than 30 days after the date on which the Director of the Office of Management and Budget receives the study under subsection (b), the Director shall submit the study to—

(1) the Committees on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Homeland Security and the Committee on Oversight and Reform of the House of Representatives.

SEC. 899G. SUNSET.

Sections 898, 899, and 899A shall cease to have effect on the date that is 5 years after the date of the enactment of this Act.

SEC. 899H. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAM PROCUREMENTS.

(a) Assessment Required.—

(1) In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of procurements carried out in connection with major defense acquisition programs.

(2) Information repository.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) Enhanced Domestic Content Requirement.—

(1) In general.—For purposes of chapter 83 of title 10, United States Code, manufactured articles, materials, or supplies procured in connection with a major defense acquisition program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if such component articles, materials, or supplies comprise 100 percent of the manufactured articles, materials, or supplies.

(2) Effective date.—The domestic content requirement under paragraph (1) applies to contracts entered into on or after October 1, 2021.

(c) Major Defense Acquisition Program Defined.—In this section, the term ‘major defense acquisition program’ has the meaning given the term in section 2360 of title 10, United States Code.

SA 5245. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. CLIMATE SECURITY ENVOY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 251a) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

‘‘(g) CLIMATE SECURITY ENVOY.—

‘‘(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the President shall appoint, by and with the advice and consent of the Senate, a Climate Security Envoy—

(A) who shall serve as a key point of contact of the Department of State, the Department of Energy, the Department of Homeland Security, and the Intelligence Community, on climate security issues;

(B) who shall serve as a key point of contact of other Federal agencies, including the Department of Defense, on climate security issues; and

(C) shall serve as a key point of contact of other Federal agencies, including the Department of Commerce, on climate security issues;

‘‘(2) DUTIES.—The Climate Security Envoy—

(A) shall develop a climate security policy in accordance with paragraph (3);

(B) shall coordinate the integration of scientific data on the current and anticipated effects of climate change into applied strategies across programmatic and regional-budgetary oversight of the Department and into the Department’s decision making processes; and

(C) shall serve as a key point of contact of other Federal agencies, including the Department of Defense, the Department of Homeland Security, and the Intelligence Community, on climate security issues;
(D) shall use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations to support the principles of the climate security policy developed under paragraph (3);

(3) shall perform such other duties and exercise such powers as the Secretary of State determines; and

(F) may not—

(i) perform the functions of the Special Envoy for Climate Change to the United Nations;

(ii) serve as the United States negotiator in any international forum to address climate change.

(3) CLIMATE SECURITY POLICY.—The Climate Security Envoy shall develop and facilitate the implementation of a climate security policy that requires the Bureau of Conflict and Stabilization Operations, the Bureau of Political-Military Affairs, embassies, regional bureaus, and other offices with a role in conflict avoidance, prevention and security assistance, or humanitarian disaster response, prevention, and assistance to assess, develop, budget for, and, upon agreement, implement plans, policies, and actions:

(A) to enhance the resilience capacities of foreign countries to the effects of climate change as a means of reducing the risk of conflict and instability;

(B) to evaluate specific additional risks to certain regions and countries that are—

(i) vulnerable to the effects of climate change, and

(ii) strategically significant to the United States;

(C) to account for the impacts on human health, safety, stresses, reliability, food production, fresh water and other critical natural resources, and economic activity;

(D) to coordinate the integration of climate change risk and vulnerability assessments into the decision-making process for awarding foreign assistance;

(E) to advance principles of good governance by encouraging foreign governments, particularly nations that are least capable of coping with the effects of climate change—

(i) to conduct climate security evaluations;

(ii) to facilitate the development of climate security action plans to ensure stability and public safety in disaster situations in a healthy, safe, and sustainable fashion; and

(F) to evaluate the vulnerability, security, susceptibility, and resiliency of United States interests and non-defense assets abroad;

(4) REPORT.—The Climate Security Envoy shall report to the Secretaries of State and Defense and to the Chairmen and Ranking Members of the Committees on Appropriations concerning actions taken to address the effects of climate change on the United States, its national security and foreign policy interests, and the security of its allies and partners.

(5) RANK AND STATUS OF AMBASSADOR.—The Climate Security Envoy shall have the rank and status of Ambassador-at-Large.

(6) DEFINED TERMS.—In this subsection, the term ‘climate security’ means the effects of climate change that—

(A) United States national security concerns and subnational, national, and regional political stability; and

(B) include security and conflict situations that are potentially exacerbated by dynamic environmental factors and events, including—

(i) the intensification and frequency of droughts, floods, wildfires, and other extreme weather events;

(ii) changes in historical severe weather, drought, and wildfire patterns; and

(iii) the expansion of geographical ranges of droughts, floods, and wildfires into regions that had not regularly experienced such phenomena;

(iv) global sea level rise patterns and the expansion of geographical ranges affected by flooding, drought, and increased intensity and frequency of extreme weather conditions and events, such as flooding, drought, and extreme storm events, including tropical cyclones.

SA 1956. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. TRANSPARENCY.

(a) DEFINED TERMS.—In this section, the term ‘climate security’ means the effects of climate change on—

(1) United States national security concerns and subnational, national, and regional political stability; and

(2) overseas security and conflict situations that are potentially exacerbated by dynamic environmental factors and events, including—

(A) the intensification and frequency of droughts, floods, wildfires, and other extreme weather events;

(B) changes in historical severe weather, drought, and wildfire patterns;

(C) the expansion of geographical ranges of droughts, floods, and wildfires into regions that had not regularly experienced such phenomena;

(D) global sea level rise patterns and the expansion of geographical ranges affected by drought; and

(E) changes in marine environments that effect critical geopolitical waterways, such as the Arctic Ocean, the South China Sea, the South Pacific Ocean, the Barents Sea, and the Beaufort Sea.

(b) IN GENERAL.—Any amendment, advisory panel, or committee designated by the President to examine or evaluate climate security shall comply with the Federal Advisory Committee Act (5 U.S.C. App.).

(c) WHISTLEBLOWER PROTECTION.—Section 302(d)(8)(A) of title 5, United States Code, is amended—

(1) in clause (i), by striking ‘‘, or’’ and inserting a semicolon;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following:

(ii) a deliberate manipulation, misjudgment, removal, or obfuscation of, or failure to take into account, data and information critical to fulsome or accurate national security assessment and planning; or

(d) ACCESSIBILITY OF PROCESSES.—The President shall ensure that the draft and final reports, studies, and policy recommendations and analyses conducted or funded by the United States Government are compiled by entities working under the direction of the Federal Government are made available to the public.

SA 1957. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X of division A, add the following:
SEC. 105. COUNTERING WHITE IDENTITY TERRORISMS.

(a) Short Title.—This section may be cited as “Countering Global White Supremacist Terrorism Act.”

(b) Findings.—Congress finds the following:—

(1) “White Identity Terrorism” is the term used by the Department of State to encompass white nationalist and white supremacist terrorists. Individuals who adhere to white nationalist or white supremacist ideologies share a common belief that white people and “white identity” in western countries are under threat and pursue the destruction of pluralistic values intrinsic to the American way of life.

(2) The Global Terrorism Database and corresponding terrorism index has recorded a rise in the number and lethality of white identity terrorist incidents during the past decade, both domestically and internationally.

(3) Various individuals, networks, and organizations fall under the umbrella of the global white identity terrorist movement, whose adherents are becoming increasingly internationalized, with fighters and terrorist ideology moving across borders.

(4) Irresponsible social media sites are enabling the internationalization of the white identity terrorist movement in terms of organization and recruitment. State and nonstate actors have helped to build a global, online white identity terrorist network, including by translating terrorist manifestos and promoting other violent extremist content. This activity includes countries on the “troll farms” to exacerbate fears of immigrants, Muslims, Jews, and other minorities in western countries among potentially sympathetic audiences.

(5) It is evident that adherents of the white identity movement in the United States are increasingly traveling overseas for training, further contributing to the internationalization of white identity terrorism. Jihadist experiences in Afghanistan, Iraq, and Syria highlight the dangers that such individuals can pose because of the connections and capabilities they bring with them when they return home.

(6) The global white identity terrorist movement has manifested a decentralized or distributed organizational approach that encourages individualized connections and capabilities they bring with such individuals can pose because of the connections and capabilities they bring with them when they return home.

(7) The growing global interconnectivity of the white identity terrorist movement means that the United States must confront this threat as part of an integrated, whole-of-government approach.

(c) Countering White Identity Terrorism Globally.—

(1) Strategy and Coordination.—Not later than 6 months after the date of the enactment of this Act, the Secretary of State shall—

(A) develop and submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a Department of State-wide strategy entitled the “Department of State Strategy for Countering White Identity Terrorism Globally” (in this subsection referred to as the “strategy”).

(B) designate the Coordinator for Counterterrorism of the Department of State to coordinate matters relating to countering white identity terrorism globally, including with United States diplomatic and consular posts, the Director of the National Counterterrorism Center, the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Treasury Secretary, the Secretary of State, and the heads of other relevant Federal departments or agencies.

(2) Elements.—The strategy shall, at a minimum, contain the following:

(A) An assessment of the global threat from white identity terrorism abroad, including geographic or country prioritization based on the assessed threat to the United States.

(B) A description of the coordination mechanisms between relevant bureaus and offices within the Department of State, including United States diplomatic or consular posts for developing and implementing efforts to counter white identity terrorism.

(C) A description of how the Department of State plans to build on any existing strategy developed by the Bureau of Counterterrorism—

(i) to adapt or expand existing Department programs, projects, or policy instruments based on existing authorities for the specific purpose of degrading and delegitimating the white identity terrorist movement globally;

(ii) to identify the need for any new Department programs, projects, activities, or policy instruments for the purpose of degrading and delegitimating the white identity terrorist movement globally, including a description of the steps and resources necessary to establish any such programs, projects, activities, or policy instruments, noting whether such steps would require new authorities.

(D) Details of plans for using public diplomacy, including the efforts of the Secretary of State and other senior executive branch officials, including the President, to degrade and delegitimize white identity terrorist ideologies and ideology globally, including by—

(i) countering white identity terrorist messaging and supporting efforts to redirect potential supporters away from white identity terrorist content online;

(ii) exposing foreign government support for white identity terrorist ideologies, ideologues, ideologies, networks, organizations, and internet platforms;

(iii) engaging with foreign governments and internet service providers and other relevant technology entities to prevent or limit white identity terrorists from exploiting internet platforms in furtherance of or in preparation for acts of terrorism or other targeted violence, as well as the recruitment, radicalization, and indoctrination of new adherents to white identity terrorism; and

(iv) identifying the roles and responsibilities for the Office of the Under Secretary of State for Public Affairs and for the Global Engagement Center in developing and implementing such plans.

(E) An outline of the steps the Department of State is taking or will take in coordination, as appropriate, with the Director of the National Counterterrorism Center, the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of other relevant Federal departments or agencies to improve information and intelligence sharing with other countries on white identity terrorism and related activities by—

(i) describing plans for adapting or expanding existing mechanisms for sharing information, intelligence, or counterterrorism best practices, including facilitating the sharing of information, intelligence, or counterterrorism best practices gathered by the Federal, State, and local law enforcement; and

(ii) proposing new mechanisms or forums that might enable expanded sharing of information, intelligence, or counterterrorism best practices.

(F) An outline of how the Department of State plans to use designation as a Specially Designated Global Terrorist pursuant to Executive Order 13224 (Specially Designated Global Terrorist organization (pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) to support the strategy, including—

(i) an assessment and explanation of the utility of applying or not applying such designations when individuals or entities satisfy the criteria for such designation; and

(ii) a description of possible remedies if such criteria are insufficient to enable designation of any individuals or entities the Secretary of State considers potential terrorist threat to the United States.

(G) A description of the Department of State’s plans, in consultation with the Department of Homeland Security, the Departments of Justice, Commerce, and Labor, the Treasury Department, the Office of Management and Budget, the Department of Defense, the Department of Energy, and other Executive branch agencies, for developing and implementing efforts to counter white identity terrorism.

(H) A description of how the Department of State plans to implement the strategy in coordination with ongoing efforts to counter the Islamic State, al-Qaeda, and other terrorist threats to the United States.

(I) A description of how the Department of State will integrate international and bilateral lessons learned in the ongoing efforts to counter the Islamic State, al-Qaeda, and other terrorist threats to the United States.

(J) A description of any additional resources or staff needed to implement the strategy.

(3) Interagency Coordination.—The Secretary of State shall develop the strategy in coordination with the Director of the National Counterterrorism Center and in consultation with the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies.

(4) Stakeholder Inclusion.—The strategy shall be developed in consultation with representatives of United States and international civil society and academic entities with experience researching or implementing programs to counter white identity terrorism.

(5) Form.—The strategy shall be submitted in unclassified form that can be made available to the public, but may include a classified annex if the Secretary of State determines such is appropriate.

(6) Implementation.—Not later than 3 months after the submission of the strategy, the Secretary of State shall begin implementing the strategy.

(7) Consultation.—Not later than 3 months after the date of the enactment of this Act, and not less than annually thereafter, the Secretary of State shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the development and implementation of the strategy.
(d) Annual Country Reports on Terrorism.—Section 1406(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) by striking paragraph (8)(B), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting “; and”;

(3) by striking “; and” at the end the following:—

“(5) all credible information about white identity terrorism, including—

“(A) relevant attacks;

“(B) identity lead of perpetrators and victims of such attacks;

“(C) the size and identity of organizations and networks that support and facilitate terrorism;

“(D) the identity of notable ideologues.”;

(e) Report on Sanctions.—

(1) In General.—Not later than 120 days after the date of each of the Annual Country Reports on Terrorism pursuant to section 1406 of the Foreign Relations Authorization Act, Fiscal Year 1988 and 1989 (22 U.S.C. 2656f), and 240 days thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that determines whether the foreign persons, organizations, and networks identified in such reports satisfies the criteria to be designated as—

(A) organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) Specially Designated Global Terrorist Organizations under Executive Order 13224 (50 U.S.C. 1701 note).

(2) Form.—Each determination required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex, if appropriate.

(f) Requirement for Independent Study to Map the Global White Identity Terrorism Movement.—

(1) In General.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall enter into a contract with a Federally funded research and development center with appropriate expertise and analytical capability to carry out the study described in paragraph (2).

(2) Study.—The study described in this paragraph shall provide for a comprehensive social network analysis of the global white identity movement.

(A) to identify key actors, organizations, and supporting infrastructure; and

(B) to map the relationships and interactions among actors, organizations, and supporting infrastructure.

(3) Report.—

(A) To the Secretary.—Not later than 1 year after the date on which the Secretary of State enters into a contract pursuant to paragraph (1), the Federally funded research and development center referred to in such subsection shall submit to the Secretary a report containing the results of the study required under this subsection.

(B) To Congress.—Not later than 30 days after the date on which the report under paragraph (A), the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives such report, together with any additional views or recommendations of the Secretary.

SA 1958. Mr. MENENDEZ (for himself and Mr. RUIBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military programs of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

TITLES.—ADVANCING COMPETITIVE-NESS, TRANSPARENCY, AND SECURITY IN THE WESTERN HEMISPHERE.

SEC. 01. SHORT TITLE.

This title may be cited as the “Advancing Competitiveness, Transparency, and Security in the Western Hemisphere Act of 2020.”

SEC. 02. FINDINGS.

Congress makes the following findings:

(1) The People’s Republic of China has dramatically increased engagement in Latin America and the Caribbean since 2004. Latin America is the second largest destination for Chinese foreign direct investment. China has become the top trading partner of Brazil, Chile, Peru, and Uruguay. China’s trade with Latin America has grown from $17,000,000,000 in 2002 to $306,000,000,000 in 2018.

(2) Between 2006 and 2018, the People’s Republic of China provided Latin America with an estimated $141,000,000,000 in development loans and other assistance. The annual amount of such loans and assistance consistently surpasses the annual sovereign lending to Latin America and the Caribbean from either the World Bank or the Inter-American Development Bank.

(3) The People’s Republic of China—

(A) is investing extensively across the region’s extractive sector and agricultural supply chains to more effectively control raw materials supply and pricing;

(B) has acquired and built new port facilities and other transport and energy infrastructure in Brazil, Panama, Costa Rica, and Salvador, and elsewhere in the region to expand its footprint in Latin America; and

(C) has developed strong partnerships and engaged in extensive deal-making in telecommunications and other technology-intensive sectors in the Latin American and Caribbean region.

(4) In 2015, the People’s Republic of China and countries of the Community of Latin American and Caribbean States (CELAC) held the first meeting of the China-CELAC Ministerial Forum. They agreed to a 5-year cooperation plan regarding politics, security, trade, investment, finance, infrastructure, energy, resources, industry, agriculture, culture, education, science, technology, people-to-people exchanges. China is also active in other regional institutions, including multilateral development banks.

(5) The United States Southern Command has warned that China’s space and telecommunications ventures in Latin America and the Caribbean have created United States commercial and security vulnerabilities.

(6) China has spent more than $244,000,000,000 on energy projects worldwide and has the potential to become the leading energy investor in Latin America and the Caribbean by 2025.

(7) China has used its growing economic influence to influence Latin America and the Caribbean, much like it has done in Africa, Europe, Latin America and the Caribbean since 2004. Latin America and the Caribbean have created United States commercial and security interests.

(8) China’s growing presence in the Western Hemisphere—

(A) facilitates the survival of autocratic and semi-autocratic regimes, such as the Maduro regime and the Government of Cuba, by acting as a lender of last resort and providing other forms of economic support; and

(B) assists such regimes in undermining democratic norms through weapons sales and the proliferation of surveillance technology; and

(9) China’s growing presence in the Western Hemisphere includes—

(A) supports the survival of autocratic and semi-autocratic regimes, such as the Maduro regime and the Government of Cuba, by acting as a lender of last resort and providing other forms of economic support; and

(B) assists such regimes in undermining democratic norms through weapons sales and the proliferation of surveillance technology; and

SEC. 03. SENSE OF CONGRESS.

It is the Sense of Congress that—

(1) the United States shares extensive economic and commercial relations, democratic values, cultural ties, and geographic proximity with the nations of the Western Hemisphere;

(2) increased United States engagement with countries in the Western Hemisphere is essential to addressing initiatives by rival powers, such as China, to increase their presence and influence over governments in Latin America and the Caribbean at the expense of strategic United States’ economic and security interests;

(3) the United States is uniquely positioned to promote the rule of law and support the strengthening of democratic institutions and democratic values in the Western Hemisphere, including El Salvador, Panama, and the Dominican Republic, to sever diplomatic relations with Taiwan. Of the 17 countries that still maintain diplomatic relations with Taiwan, 9 are in the Western Hemisphere, namely Belize, Guatemala, Honduras, Nicaragua, Paraguay, St. Kitts and Nevis, St. Lucia, and the Vincent and the Grenadines;

(4) China’s growing presence in the Western Hemisphere—

(A) facilitates the survival of autocratic and semi-autocratic regimes, such as the Maduro regime and the Government of Cuba, by acting as a lender of last resort and providing other forms of economic support; and

(B) assists such regimes in undermining democratic norms through weapons sales and the proliferation of surveillance technology; and

SEC. 03. SENSE OF CONGRESS.
(C) engaging in development investments that strengthen United States public and private sector ties to Western Hemisphere governments and businesses, promote shared confidence that open markets and fair competition are critical to sustained economic growth, enhance regional businesses' ability to move up the value chain, and are environmentally sustainable; and

(D) raising awareness regarding how the proliferation of Chinese economic largesse and the increased adoption of Chinese surveillance technology can harm Western Hemisphere economies and undermine democratic institutions;

(E) empowering local and international media to carefully monitor investment activity in Latin America and the Caribbean to ensure accountability and uncover the malign affects of greater Chinese engagement, including a lack of transparency, facilitation of corruption, unsustainable debt, environmental damage, opaque labor and business practices of Chinese firms, and the increased likelihood of projects that leave host countries in unsustainable debt; and

(F) promoting greater economic engagement of the United States and other countries of the Western Hemisphere to spur economic development in the region and increase economic opportunities for the United States private sector.

SEC. 04. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to expand United States' engagement in the Western Hemisphere through economic and public diplomacy that strengthens political and economic relations, reinforces shared democratic values, and facilitates economic development in the Western Hemisphere; and

(2) to promote United States economic prosperity through increased engagement with Latin America and the Caribbean.

SEC. 05. DEFINITIONS.

In this title:

(1) CARIBBEAN.—The term “Caribbean” does not include Cuba, unless it is specifically named.

(2) LATIN AMERICA AND THE CARIBBEAN.—The term “Latin America and the Caribbean” does not include Cuba, unless Cuba is specifically named.

(3) RULE OF LAW.—The term “rule of law” refers to a durable system of institutions and processes founded on the universal principles of—

(A) accountability;

(B) just laws that protect fundamental freedoms;

(C) open and transparent government processes; and

(D) accessible and impartial dispute resolution.

SEC. 06. ASSESSING THE INTENTIONS OF THE PEOPLE'S REPUBLIC OF CHINA IN THE WESTERN HEMISPHERE.

(a) DEFINITIONS.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Director of National Intelligence and the Director of the Central Intelligence Agency, shall submit a report to the appropriate congressional committees that assesses the nature, intent, and impact to United States strategic interests of—

(1) Chinese economic activity in Latin America and the Caribbean, such as foreign direct investment, development financing, oil-for-joans deals, other preferential trading arrangements related to China’s Belt and Road Initiative;

(2) the involvement of Chinese government entities and state-owned enterprises in infrastructure projects in Latin America and the Caribbean, such as—

(A) the building, renovating, and operating of port facilities, including the Margarita Port of Venezuela, the Port of Guayaquil in Ecuador, and the Port of Paranagua in Brazil;

(B) the building and maintenance of the region’s telecom infrastructure, including the installation of 5G technologies, by Chinese companies, including Huawei, ZTE, and possibly others, and the likelihood that these companies will be the dominant providers of telecommunications infrastructure and associated products and services in the region, with great influence over Latin American government agencies;

(C) the building of Ministry of Foreign Affairs and Foreign Trade in Kingston, Jamaica, and other government facilities in the region; and

(D) the building of Ecuador’s Coca Cola Sinclair Dam and other energy infrastructure projects in the region;

(3) Chinese military activity in the region, including military education and training programs, weapons sales, and space-related activities in the military or civilian spheres, such as the installation of a Chinese satellite and space control station China recently constructed in Argentina;

(4) Chinese security activity in Latin America and the Caribbean, including sales of surveillance and monitoring technology to regional governments such as Venezuela, Cuba, and Ecuador, and the potential use of such technology as tools of Chinese intelligence;

(5) Chinese intelligence engagement in Latin America and the Caribbean, and the development of intelligence operations;

(6) the nature of the People’s Republic of China’s presence in the region, and whether it is consistent, threatening, or benign to the United States interests; and

(7) Chinese diplomatic activity aimed at influencing the decisions, procedures, and programs of multilateral organizations, including the Organization of American States (OAS) and the Inter-American Development Bank (IDB), as well as the work in Latin America and the Caribbean of the World Bank and International Monetary Fund (IMF).

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form and shall include classified annexes.

Subtitle A—Increasing Competitiveness in Latin America and the Caribbean

SEC. 11. DEVELOPING AND IMPLEMENTING A STRATEGY TO INCREASE ECONOMIC COMPETITIVENESS AND PROMOTE THE RULE OF LAW.

(a) STRATEGY REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, the Attorney General, the United States Trade Representative, and the President, shall submit a multi-year strategy for increasing United States economic competitiveness and promoting the rule of law in Latin American and Caribbean countries, particularly in the areas of investment, sustainable development, commercial relations, anti-corruption activities, and infrastructure projects, that—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Finance of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Ways and Means of the House of Representatives.

(b) ADDITIONAL ELEMENTS.—The strategy submitted pursuant to subsection (a) shall include a plan of action to—

(1) enhance economic competitiveness, promote fair competition and combat corruption,

(2) induce and mitigate obstacles to economic growth in Latin America and the Caribbean;

(3) maintain free and transparent access to the Internet and digital infrastructure in the Western Hemisphere; and

(4) facilitate a more competitive environment for United States' businesses in Latin America and the Caribbean.

(c) REPORTING REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, the Attorney General, the United States Trade Representative, and the leadership of the United States International Development Finance Corporation, shall brief the congressional committees listed in subsection (a) on the implementation of this subtitle, including examples of successes and challenges.

SEC. 12. STRENGTHENING UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION ENGAGEMENT IN THE CARIBBEAN AND THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States support for the development of competitive industries in Latin America and the Caribbean is necessary for workforce development, increased wages, and further economic development, and will provide an opportunity to strengthen United States cooperation;

(2) the reliance of the BUILD Act of 2018 on the Gini coefficient to measure eligibility for development financing from the United States International Development Finance Corporation would exclude the Caribbean’s 12 countries from qualifying for development financing; and

(3) given the geographic proximity of Caribbean countries to the United States, the economic stability of Caribbean nations is important to United States national security interests.

(b) ELIGIBILITY OF CARIBBEAN COUNTRIES FOR FINANCING THROUGH THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Section 1412(c) of the BUILD Act of 2018 (division F of Public Law 115–254) is amended by adding at the end the following:

“(3) ELIGIBILITY OF CARIBBEAN COUNTRIES.—Notwithstanding paragraphs (1) and (2), Caribbean countries (excluding Cuba) shall be included among the countries receiving support from the Development Corporation, shall submit a multi-year strategy for increasing United States economic competitiveness and promoting the
Act of 2018, as amended by subsection (c), is further amended by adding at the end the following:

"(d) FOREIGN POLICY GUIDANCE.—The Secretary of State, in accordance with the priorities identified in subsection (c), shall provide foreign policy guidance to the Corpora-
tion for International Development, USAID, and the United States Trade and Development Agency, to support their efforts to enhance the resilience and sustainability and the Caribbean during the 10-year period beginning on the date of the enactment of the Advancing Competitiveness, Transparency, and Security in the Americas Act of 2020.""

SEC. 13. ADVANCING REGULATION OF FOREIGN INVESTMENT IN INFRASTRUCTURE PROJECTS TO PROTECT HOST COUNTRIES' NATIONAL INTERESTS.

(a) FINDINGS.—Congress finds that the Committee on Foreign Investment in the United States (referred to in this section as "CFIUS"), as set forth in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565)—

(1) protects United States national security interests that are related to foreign direct investment in the United States economy; and

(2) provides a mechanism by which the United States Government can respond to concerns that may emanate from a foreign direct investment transaction by political, rather than economic, motives.

(b) IN GENERAL.—The Secretary of State, working through the Assistant Secretary of State for Economic and Business Affairs and the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, in coordination with the Secretary of the Treasury, shall offer to provide technical assistance to partner governments in Latin America and the Caribbean to assist member countries with legislative and regulatory branch officials in establishing legislative and regulatory frameworks that are similar to the frameworks set forth in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565).

(c) PURPOSES.—In carrying out subsection (b), the Secretary of State, in coordination with the Secretary of the Treasury, shall actively encourage partner governments—

(1) to protect their respective country's national security interests;

(2) to protect the national security interests of their allies; and

(3) to review and approve, suspend, or prohibit investments and projects, on a case-by-case basis and in the aggregate, to evaluate and assess their potential risk to such national security interests.

(d) DIPLOMATIC ENGAGEMENT.—In providing the technical assistance described in subsection (b), the Secretary of State shall conduct diplomatic engagement with legislators from partner countries to encourage the United States to encourage them to adopt legislative frameworks described in subsections (b) and (c) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Financial Services of the House of Representatives.

(e) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a strategy for carrying out the activities described in subsections (b) and (c) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Foreign Affairs of the House of Representatives;

(5) the Committee on Appropriations of the House of Representatives; and

(f) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a report to the congressional committees described in subsections (b) and (c) and the strategy submitted under subsection (E) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Foreign Affairs of the House of Representatives;

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $10,000,000 for fiscal year 2020 to carry out the activities described in subsections (b) and (c).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and the International Narcotics and Law Enforcement Fund under section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291b), to the extent that such funds are expended.

SEC. 14. STRENGTHENING INFRASTRUCTURE PROJECT SELECTION AND PROCUREMENT PROCESSES.

(a) FINDINGS.—Congress makes the following findings:

(1) Pervasive corruption, as evidenced by the Odebrecht construction scandal and the Panama Papers, is an ingrained and long-standing characterizing doing business in Latin America and the Caribbean.

(2) China further exacerbates the levels of corruption in the region by engaging in corrupt practices when pursuing secure infrastructure contracts and procurement agreements.

(3) Procurement agreements not based exclusively on cost, quality, and necessity can lead to projects that do not serve the best interests of the public.

(b) ENGAGEMENT INITIATIVES.—The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, the Chief Executive Officer of United States International Development Finance Corporation, the Director of the United States Trade Development Agency, and representatives of the Department of the Treasury's Office of Technical Assistance, shall consult with representatives of the private sector and nongovernmental organizations in the United States, Latin America, and the Caribbean.

(c) DIGITAL GOVERNANCE.

(1) The Secretary of State shall provide a briefing regarding the initiatives described in subsection (c) to—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

(e) BASELINE ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the congressional committees referred to in subsection (d) that assesses, based on credible indices of the performance of the rule of law (including the World Justice Project’s Rule of Law Index), the progress made by Latin American and Caribbean governments toward strengthening the rule of law, reducing corruption, and creating greater transparency in business practices, including through—

(1) standardizing and regulating procurement practices; and

(2) streamlining, modernizing, and digitizing records for public procurement and customs duties.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State for fiscal year 2020, $5,000,000 to carry out the activities set forth in subsections (b), (c), and (d).

(g) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) to the extent that such funds are expended.

SEC. 15. PROMOTING THE RULE OF LAW IN DIGITAL GOVERNANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that United States engagement with Latin America and the Caribbean regarding digital infrastructure and security should—

(1) help protect privacy, civil liberties, and human rights; and

(2) strengthen institutions aimed at fighting cybercrimes.

(b) IN GENERAL.—The Secretary of State, in coordination with the Department of Justice, shall conduct diplomatic engagement to enhance and facilitate United States and Latin American and Caribbean governments' adoption of standards to address cybercrimes, such as institutionalizing the recommendations of the Organization of American States' Fifth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas.
SEC. 16. INVESTING IN PROJECTS THAT STRENGTHEN THE REGION'S DIGITAL INFRASTRUCTURE.

(a) FINDINGS.—Congress makes the following findings:


(A) the digital economy fosters growth and productivity and supports inclusive development by improving accessibility by previously marginalized groups; and

(B) access to digital infrastructure can provide these groups with a whole range of markets and services, including education, peer-to-peer development, the sharing economy, crowdfunding, and online job matching services; and

(2) adoption and usage of digital technologies that leverage the productivity of capital and labor, enables the participation in global value chains, and contributes to greater inclusion by lowering transaction costs and expanding access to information.

(b) DIGITAL INFRASTRUCTURE ACCESS AND SECURITY STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with relevant Federal agencies, shall submit to Congress a strategy and implementation plan describing United States expertise to help Latin American and Caribbean governments—

(1) develop and secure their digital infrastructure; and

(2) protect technological assets, including data privacy;

(3) advance cybersecurity to protect against cybercrime and cyberespionage; and

(4) create more equal access to economic opportunities for their citizens.

(c) SEMIANNUAL BRIEFING REQUIREMENT.—The strategy described in subsection (b) shall address—

(1) the severe digital divides between more wealthy urban centers and rural districts; and

(2) the need for protection of citizens’ privacy;

and

(3) the need to expand existing initiatives to allow public-private partnerships to increase access to energy grids and decentralized electronic systems.

(d) CONSULTATION.—In creating the strategy described in this subsection, the Secretary of State shall consult with—

(1) leaders of the United States telecommunication industry;

(2) technology experts from non-governmental organizations and academia; and

(3) representatives from relevant United States Government agencies.

(e) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the implementation of the strategy described in subsection (b).

SEC. 17. COUNTERING FOREIGN CORRUPT PRACTICES.

(a) IN GENERAL.—The Secretary of State, working through the Assistant Secretary of State for Economic and Business Affairs and the Assistant Secretary of State for Inter-American Affairs and the Caribbean, shall—

(1) adopt standards that deter fraudulent business practices and increase government and private sector accountability in Latin America and the Caribbean; and

(2) strengthen the investigative and prosecutorial capacity of government institutions in Latin America and the Caribbean to combat fraudulent business practices involving public officials.

(b) STRATEGY REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a strategy for carrying out the activities described in subsections (a) and (b) to—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Appropriations of the House of Representatives.

(c) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall provide a briefing regarding the activities described in subsections (a) and (b) and the strategy submitted under subsection (c) to—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $10,000,000 to the Department of State for fiscal year 2021—

(A) to carry out the activities set forth in subsections (a) and (b); and

(B) to develop the strategy submitted under subsection (c).

(2) DEFENSE AND SECURITY REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and the International Narcotics and Law Enforcement Fund under section 609 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 note), to the extent that such funds are expended.
(1) determines that such a waiver is in the national interest of the United States; and
(2) submits a notice of, and justification for, such waiver to the appropriate congressional committees;

SEC. 19. PROMOTING GREATER ENERGY SECURITY AND LEASER DEPENDENCE ON OIL IN THE CARIBBEAN.

(a) POLICY STATEMENT.—It is the policy of the United States to help Caribbean countries—

(1) achieve greater energy security;
(2) lower their dependence on imported fuels; and
(3) eliminate the use of petroleum products for the generation of electricity;

(b) STRATEGY REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a multi-year strategy to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives for regional cooperation with Caribbean countries—

(1) to lower the region’s dependence on imported fuels, grow the region’s domestic energy production for the generation of electricity, and strengthen regional energy security;
(2) to lower the region’s dependence on oil in the transportation sector;
(3) to increase the region’s energy efficiency, energy conservation, and investment in alternatives to imported fuels;
(4) to improve grid reliability and modernize electricity transmission networks;
(5) to advance deployment of innovative solutions to expand community and individuals’ access to electricity; and
(6) to help reform the region’s energy markets to encourage good regulatory governance and to promote a climate of private sector investment.

(c) ELEMENTS.—The strategy required under subsection (b) shall include—

(1) a thorough review and inventory of United States Government activities to promote energy security in the Caribbean region and to reduce the region’s reliance on oil for electricity generation that are being carried out bilaterally, regionally, and in coordination with multinational institutions;
(2) opportunities for marshaling regional cooperation—

(A) to overcome market barriers resulting from the small size of Caribbean energy markets;
(B) to address the high transportation and infrastructure costs faced by Caribbean countries;
(C) to ensure greater donor coordination between governments, multilateral institutions, multilateral banks, and private investors; and
(D) to expand regional financing opportunities to allow for lower cost energy entrepreneurship;
(3) measures to encourage each Caribbean government to ensure that it has—

(A) an independent utility regulator or equivalent;
(B) affordable access by third party investors to its electrical grid with minimal regulatory interference;
(C) effective energy efficiency and energy conservation;
(D) programs to address technical and non-technical issues;
(E) a plan to eliminate major market distortions;
(F) cost-reflective tariffs; and
(G) the ability to adjust other taxes on clean energy solutions; and
(4) recommendations for how United States policy, technical, and economic assistance can best reach the Caribbean region—

(A) to advance renewable energy development and the incorporation of renewable technologies into existing energy grids and the development and deployment of microgrids where appropriate and feasible;
(B) to create regional financing opportunities to allow for lower cost energy entrepreneurship;
(C) to deploy transaction advisors in the region to help attract private investment and break down any market or regulatory barriers; and
(D) to establish a mechanism for each host government to have access to independent legal advice—

(i) to speed the development of energy-related contracts; and
(ii) to better protect the interests of Caribbean governments and businesses in developing their renewable energy projects.

Subtitle B—Promoting Regional Security and Digital Security, and Protecting Human Rights in the Americas

SEC. 21. Ensuring the Integrity of Telecom and Data Networks and Critical Infrastructure.

(a) Sense of Congress.—It is the sense of Congress that—

(1) allegations of espionage, intellectual property theft, hacking, and unscrupulous business practices, such as bribery and kickbacks, often accompany the entrance of Chinese companies into a region;
(2) the United States Government should assist Latin American and Caribbean governments and businesses in their own digital telecommunication networks to render them less susceptible to Chinese malfeasance; and
(3) strengthening and implementing intellectual property and cyber governance laws will boost innovation in the Latin America and the Caribbean.

(b) Technical Assistance.—The Secretary of State, working through the Office of the Coordinator for Cyber Issues of the Department of State, shall, in consultation with the Attorney General, the Director of the Federal Bureau of Investigation, and the Chief of the International Bureau of the Federal Communications Commission shall offer to provide technical assistance to partner governments in Latin America and the Caribbean to strengthen their capacity to promote digital security, including—

(1) defending the integrity of digital infrastructure and digital assets, including data storage systems, such as Cloud computing, proprietary databases, personal information, and proprietary technologies;
(2) detecting, identifying, and investigating cybercrimes, including the collection of digital forensic evidence;
(3) to protect the integrity of digital infrastructure and digital assets, including data systems (including Cloud computing), proprietary data, personal information, and proprietary technologies;
(4) to plan maintenance, improvements, and modernization in a coordinated and regular fashion so as to ensure continuity and safety; and
(5) to protect the digital systems that manage airports, bridges, ports, and transportation hubs.

(c) Briefing Requirement.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a briefing regarding the technical assistance described in subsection (b) and (d) to—

(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on the Judiciary of the Senate;
(3) the Committee on Armed Services of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives; and
(5) the Committee on the Judiciary of the House of Representatives;

(d) Congressional Briefing.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall provide a briefing regarding the technical assistance described in subsection (b) and (d) to—

(1) the Committee on Foreign Relations of the House of Representatives; and
(2) the Committee on the Judiciary of the House of Representatives;

SEC. 22. Addressing the Risks that Pers- From the commencement of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives to introduce and consider the legislation.

(a) Findings.—Congress makes the following findings:

(1) According to a 2018 report by Freedom House,

(A) China has stepped up efforts to use digital media to increase its own power, both inside and outside of China;
(B) In 2018, for the second year in a row, China was the worst abuser of Internet freedom, and during that year, the Government of China hosted media officials from dozens of countries for 2- and 3-week seminars on its sprawling system of censorship and surveillance;

(2) Chinese companies have supplied telecommunications hardware, advanced facial-recognition technology, and data analytics tools to a variety of governments with poor human rights records, but not to benefit Chinese intelligence services and repressive local authorities;

(3) China’s Belt and Road Initiative includes a “Digital Silk Road” of Chinese-built fiber-optic networks that could expose Internet traffic to greater monitoring by local and Chinese intelligence agencies, given that China has determined to set the technical standards for how the next generation of traffic is coded and transmitted.

(b) As part of its engagement with Latin America and Caribbean governments, China has begun promoting the installation of pervasive surveillance camera systems, under the pretense of citizen security, in Bolivia, Ecuador, and Venezuela, to be financed, designed, installed, and maintained by companies linked to the Government of China.

(c) Sense of Congress.—It is the sense of Congress that—

(1) China is exporting its model for internal security and state control of society through advanced technology and artificial intelligence; and
(2) the adoption of surveillance systems can lead to breaches of citizens’ private information, surveillance, violations of civil rights, and harassment of political opponents.
(c) DIPLOMATIC ENGAGEMENT.—The Secretary of State shall conduct diplomatic engagement with governments in Latin America and the Caribbean:

(1) to identify and mitigate the risks to civil liberties posed by pervasive surveillance and monitoring technologies; and

(2) to offer recommendations on ways to mitigate such risks.

(d) INTERNET FREEDOM PROGRAMS.—The Chief Executive Officer of the United States Agency for Global Media, working through the Open Technology Fund, and the Secretary of State, working through the Bureau of Democracy, Human Rights, and Labor’s office of Internet Freedom and Business and Human Rights, shall expand and prioritize efforts to provide anti-censorship technology and assure legal and safe online access in Latin America, in order to enhance their ability to safely access or share digital news and information without fear of repercussions or surveillance.

(e) SUPPORT FOR CIVIL SOCIETY.—The Secretary of State, in coordination with the Assistant Secretary of State—

(1) to support and promote programs that support Internet freedom and the free flow of information online in Latin America and the Caribbean;

(2) to protect open, secure, and reliable access to the Internet in Latin America and the Caribbean;

(3) to provide integrated support to civil society for technology, digital safety, policy and advocacy, and applied research programs in Latin America and the Caribbean;

(4) to train journalists and civil society leaders in Latin America and the Caribbean on investigative techniques necessary to ensure privacy and prevent government overreach in the digital sphere; and

(5) to assist independent media outlets and journalists in Latin America and the Caribbean to build their own capacity and develop high-impact, in-depth news reports covering governance and human rights topics.

(f) MODERNIZATION.—The Secretary of State, the Administrator of the United States Agency for International Development, and the Chief Executive Officer of the United States Agency for Global Media shall provide a briefing regarding the efforts described in subsections (c), (d), and (e) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee of Ways and Means of the House of Representatives.

SEC. 31. ADVANCING GROWING CHINESE EDUCATIONAL AND CULTURAL INFLUENCE IN LATIN AMERICA AND THE CARIBBEAN.

(a) FINDING.—According to a report by the National Endowment for Democracy—

(1) China has spent the equivalent of billions of dollars to shape public opinion and perceptions around the world through thousands of people-to-people exchanges, cultural activities, educational programs, and the development of civil society and information initiatives with global reach;

(2) the aim of Chinese influence efforts is intended to distract and manipulate the political and informational environments in targeted countries; and

(3) the countries most vulnerable to Chinese efforts are those in which democratic institutions are fragile.

(b) SENSE OF CONGRESS.—It is the sense of Congress that China’s efforts to mold public opinion on the issues described in subsection (a) undermine influence in Latin America and the Caribbean and threaten democratic institutions and practices in the region.

(c) STRATEGY.—The Secretary of State, in coordination with the Assistant Secretary of State for Educational and Cultural Affairs, shall devise a strategy:

(1) to expand existing programs and, as necessary, design and implement educational, professional, and cultural exchanges and other programs to create and sustain mutual understanding with other countries necessary to advance United States foreign policy goals by cultivating people-to-people ties among current and future global leaders that build enduring networks and personal relationships and promote United States national security and values;

(2) to that includes the expansion of exchange visitor programs, including international visitor leadership programs and professional capacity building programs that prioritize building skills in entrepreneurship, promoting transparency, and technology; and

(3) to dedicate not less than 18 percent of the funds of the Bureau of Educational and Cultural Affairs to carry out the activities described in paragraphs (1) and (2).

(d) BRIEFING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State and the Assistant Secretary of State for Educational and Cultural Affairs shall provide a briefing regarding the efforts described in subsection (c) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee of Ways and Means of the House of Representatives.

SEC. 32. MAINTAINING TRANSPARENCY AND FREEDOM OF ACCESS FOR DIGITAL INFRASTRUCTURE IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that digital infrastructure entities, such as the Internet and telecommunications networks, are common goods that should be neutral and accessible to all people, with no country or government dominating control of their use, standards, or principles.

(b) PROCUREMENT.—The Secretary of State, in coordination with United States representatives to the Internet governance agencies, such as the Internet Corporation for Assigned Names and Numbers (ICANN) and the United Nations Internet Governance Forum, shall act to advocate for freedom and access for digital infrastructure, while respecting and adhering to shared principles, norms, rules, decision-making procedures, and programs that shape the evolution and use of the Internet, including ensuring—

(1) neutral access to digital networks;

(2) common technical standards that do not favor a particular country;

(3) freedom from unauthorized data access; and

(4) free access to information and combating censorship.

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a briefing regarding the efforts described in subsection (b) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee of Ways and Means of the House of Representatives.

SEC. 33. ADVANCING THE ROLE OF CIVIL SOCIETY AND THE MEDIA TO PROMOTE ACCOUNTABILITY.

(a) IN GENERAL.—The Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor, the Assistant Secretary of State for Education and Cultural Affairs, and the Coordinator of the Open Technology Fund, shall provide assistance to independent civil society organizations and the press to promote transparency and accountability among both government and business leaders.

(b) PROGRAM ELEMENTS.—The initiatives under subsection (a) shall include—
(1) training for journalists and civil society leaders on investigative techniques necessary to improve transparency and accountability in government and the private sector; 
(2) to increase investigative reporting relating to incidents of corruption and unfair trade, business and commercial practices, including the role of the Government of China in such activities; 
(3) training on investigative reporting relating to efforts the Government of China’s use of misinformation, disinformation, and state-sponsored influence public opinion campaigns, such as ProPublica, the Center for Public Integrity, and the International Consortium of Investigative Journalists; 
(4) assistance for nongovernmental organizations to strengthen their capacity to monitor the activities described in paragraphs (2) and (3). 

(c) CONSULTATION.—In developing and implementing the initiatives under subsection (a), the Secretary of State shall consult with—

(1) nongovernmental organizations focused on transparency and combating corruption, such as Transparency International, the Latin American and Caribbean chapters of Transparency International, and similar organizations; and 
(2) media organizations that promote investigative journalism and train organizations in investigative techniques necessary to enhance accountability, such as ProPublica, the Center for Public Integrity, and the International Consortium of Investigative Journalists.

(d) ANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the committees referred to in subsection (c) a report that—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

SEC. 42. ASSESSING STAFFING NEEDS AT UNITED STATES EMBASSIES IN LATIN AMERICA AND THE CARIBBEAN

(a) STAFFING ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a written assessment to the committees referred to in subsection (c) that—

(A) determines whether the current staffing levels of the United States Foreign Commercial Service in all United States embassies and diplomatic offices in Latin America and the Caribbean are sufficient to fully advance United States economic policy in Latin America and the Caribbean; and 
(B) specifically details the results for each United States embassy and diplomatic office in Latin America and the Caribbean.

(b) ACCOMPANYING REPORT.—If the assessment under subparagraph (A) reveals insufficient staffing levels, the Secretary of State and the Secretary of Commerce shall submit an accompanying report that—

(A) identifies the costs associated with increasing the overseas presence of United States Foreign Commercial Service officers in Latin America and the Caribbean; and 
(B) includes a timeline and strategy for increasing such staffing levels.

(c) PUBLIC DIPLOMACY ASSESSMENT.—

(1) IN GENERAL.—The Secretary of State shall provide to the committees referred to in subsection (c) a written assessment that—

(A) determines whether the current staffing levels of Foreign Service public diplomacy officers at all United States embassies and diplomatic offices in Latin America and the Caribbean are sufficient—

(i) to counter misinformation and disinformation efforts by the Government of China and the Government of Russia; and 
(ii) to counter the increased observance of international law by countries around the world; and 
(B) are insufficient to fully advance United States economic policy in Latin America and the Caribbean; and 
(C) specifically details the results for each United States diplomatic and commercial (or by video conference call) of all the China Watch Officers designated pursuant to subsection (b) serving in Latin America and the Caribbean; and 
(D) includes a timeline and strategy for increasing such staffing levels.

SEC. 43. LOCAL SUPPORT FROM UNITED STATES EMBASSIES AND DIPLOMATIC REPRESENTATIVE OFFICES

(a) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) to the extent that such funds are expended.

(b) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

SEC. 44. LOCAL SUPPORT FROM UNITED STATES EMBASSIES AND DIPLOMATIC REPRESENTATIVE OFFICES

(a) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(b) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(d) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(f) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(g) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.

(h) AUTHORIZATION OF APPROPRIATIONS.—From any funds appropriated under this Act, the Secretary of State shall—

(1) the Committee on Foreign Relations of the Senate; and 
(2) the Committee on Foreign Affairs of the House of Representatives.
(1) in subsection (a)—

(A) in paragraph (20), by striking “authority to determine membership of their respective boards, and”,

(B) in paragraph (21), by striking “, including authority to name and replace the board of any grantee authorized under this chapter, including with Federal officials,”; and

(C) the 2nd section heading:

“(2) TO—

“(A) require semi-annual content reviews of each language service of each surrogate network, consisting of a review of at least 10 percent of available weekly content, by fluent language speakers and experts without direct affiliation to the language service being reviewed, who are seeking any evidence of inappropriate or unprofessional content, which shall be submitted to the Office of Policy and Research and the Chief Executive Officer; and

“(B) submit a list of anomalous reports to the appropriate congressional committees, including status updates on anomalous services during the 3-year period commencing on the date of receipt of the first report of biased, unprofessional, or otherwise problematic content; and

(2) by striking at the end the following:

“(c) LIMITATION ON CORPORATE LEADERSHIP OF GRANTEES.—

“(1) IN GENERAL.—The Chief Executive Officer may not award any grant under subsection (a) to RFE/RL, Inc., Radio Free Asia, the Middle East Broadcasting Networks, the Open Technology Fund, or any other corporately authorized grantee (collectively referred to as the ‘Agency Grantee Networks’) unless the incorporation documents of the grantee require that the corporate leadership of the entity resulting from the grantee merger be elected in accordance with this Act.

“(2) CONFLICTS OF INTEREST.—

“(A) IN GENERAL.—The Chief Executive Officer shall not serve on any of the corporate boards of any grantee under subsection (a), consistent with Federal law and the law of the State in which any such grantee is incorporated.

“(B) FEDERAL EMPLOYEES.—A full-time employee of a Federal agency may not serve on a corporate board of any grantee under subsection (a).”.

(d) INTERNATIONAL BROADCASTING ADVISORY BOARD OF GOVERNORS.—

(1) IN GENERAL.—The International Broadcasting Advisory Board of Governors of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

“(4) obtain information from the Chief Executive Officer or the Chair of the Advisory Board under this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the actual rate of the employee for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(2) TRAVEL EXPENSES.—Whether from the homes or regular places of business, members of the Board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of such title for persons in the Government service employed intermittently.

(3) SECRETARY OF STATE.—The Secretary of State shall not be entitled to any compensation under this title, but may be allowed travel expenses in accordance with paragraph (2).

(4) SUPPORT STAFF.—The Chief Executive Officer shall, from within the United States Agency for Global Media personnel, provide the Advisory Board with an Executive Secretary and such administrative staff and other support as necessary to enable the Advisory Board to carry out subsections (d) and (e).

(f) CONFORMING AMENDMENTS.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended—

“(1) IN GENERAL.—The Advisory Board shall consist of 7 members of whom—

“A. appoints by the President, by and with the advice and consent of the Senate, in accordance with subsection (c); and

“(B) 1 shall be the Secretary of State.

“2. May not be a member of the Advisory Board.

“(3) PARTY LIMITATION.—Not more than 3 members of the Advisory Board appointed under paragraph (1)(A) may be affiliated with the same political party.

“(4) TERMS OF OFFICE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Advisory Board shall serve as a member of the Advisory Board unless—

“(2) by striking at the end the following:

“(2) by redesignating subsection (d) as subsection (e),

“(3) by amending subsection (c), as redesignated—

“(A) in the subsection heading, by inserting ‘‘ADVISORY BOARD’’ before ‘‘BOARD’’; and

“(B) in paragraph (2), by inserting ‘‘who are’’ before ‘‘distinguished’’; and

“(C) by striking subsection (e) and (f) and inserting the following:

“(d) FUNCTIONS OF THE ADVISORY BOARD.—

“The members of the Advisory Board shall—

“(1) provide the Chief Executive Officer of the United States Agency for Global Media with advice and recommendations for improving the effectiveness and efficiency of the Agency and its programming;

“(2) meet with the Chief Executive Officer at least twice annually and at additional meetings at the request of the Chief Executive Officer or the Chair of the Advisory Board;

“(3) report periodically, or upon request, to the congressional committees specified in subsection (c)(2) regarding its advice and recommendations for improving the effectiveness and efficiency of the United States Agency for Global Media and its programming;

“(4) obtain information from the Chief Executive Officer, as needed, for the purposes of fulfilling the functions described in this subsection;

“(5) consult with the Chief Executive Officer regarding budget submissions and strategic plans before they are submitted to the Office of Management and Budget or to Congress;

“(6) advise the Chief Executive Officer to ensure that the Chief Executive Officer fully respects the professional integrity and editorial independence of United States Agency for Global Media broadcasters, networks, and grants;

“(B) in paragraph (2), by striking ‘‘Broadcasting Board of Governors’’ and inserting ‘‘United States Agency for Global Media’’; and

“(C) by striking subsection (a), by striking ‘‘Broadcasting Board of Governors’’ and inserting ‘‘United States Agency for Global Media’’;
(C) in subsection (b)(1), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media"; and

(D) in subsection (c), by striking "Board" each place such term appears and inserting "Agency";

(2) in section 305—
(A) in subsection (a)—
(i) in paragraph (6), by striking "Board" and inserting "Agency";
(ii) in paragraph (13), by striking "Board" and inserting "Agency";

(iii) in paragraph (20), by striking "Board" and inserting "Agency"; and

(iv) in paragraph (22), by striking "Board" and inserting "Agency";

(B) in subsection (b), by striking "Board" each place such term appears and inserting "Agency";

(C) in subsection (d), by striking "Board" and inserting "Agency";

(D) in subsection (g), by striking "Board" each place such term appears and inserting "Agency";

(E) in subsection (h)(5), by striking "Board" and inserting "Agency"; and

(F) in subsection (i), by striking "Board" and inserting "Agency";

(3) in section 308—
(A) in subsection (a), in the matter preceding paragraph (1), by striking "Board" and inserting "Agency";

(B) in subsection (b), by striking "Board" each place such term appears and inserting "Agency";

(C) in subsection (d), by striking "Board" and inserting "Agency";

(D) in subsection (g), by striking "Board" each place such term appears and inserting "Agency";

(E) in subsection (h), by striking "Board" and inserting "Agency";

(F) in subsection (i), by striking "Board" and inserting "Agency";

(4) in section 310—
(A) in subsection (c)(1), by striking "Board" each place such term appears and inserting "Agency";

(B) in subsection (e), in the matter preceding paragraph (1), by striking "Board" and inserting "Agency";

(C) in subsection (f), by striking "Board" each place such term appears and inserting "Agency"; and

(D) in subsection (g), by striking "Board" and inserting "Agency";

(5) in section 310A, by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media";

(6) in section 310B, by striking "Board" and inserting "Agency";

(7) in section 311A, in the matter preceding paragraph (1), strike "Board" and insert "Agency";

(8) in section 311, by striking "(d)" the term 'Board and Chief Executive Officer of the Board of Broadcasting Board of Governors' and inserting the following:

"(2) the terms 'Agency' and 'Chief Executive Officer of the Agency' mean the United States Agency for Global Media and the Chief Executive Officer of the United States Agency for Global Media, respectively"; and

(9) in section 311A, by striking "(d)" the term 'Board and Chief Executive Officer of the Board of Broadcasting Board of Governors' and inserting the following:

"(2) the terms 'Agency' and 'Chief Executive Officer of the Agency' mean the United States Agency for Global Media and the Chief Executive Officer of the United States Agency for Global Media, respectively"; and

(10) in section 315—
(A) in subsection (a)(1), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media"; and

(B) in subsection (c), by striking "Broadcasting Board of Governors" and inserting "United States Agency for Global Media";

(1) RULEMAKING.—Notwithstanding any other provision of law, the United States Agency for Global Media may not revise Part 311 of title 22, Code of Federal Regulations, which took effect on June 11, 2020, without explicit authorization by an Act of Congress.

SA 1961. Mr. MENENDEZ (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of title XII, add the following:

SEC. 1216. CONGRESSIONAL OVERSIGHT OF UNITED STATES TALKS WITH TALIBAN OFFICIALS AND AFGHANISTAN'S COMPREHENSIVE PEACE PROCESS

(a) Definitions.—In this section:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—
(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence of the House of Representatives.

(2) GOVERNMENT OF AFGHANISTAN.—The term "Government of Afghanistan" means the Government of the Islamic Republic of Afghanistan and its instrumentalities, and controlled entities.

(3) THE TALIBAN.—The term "the Taliban"—
(A) refers to the organization that refers to itself as the "Islamic Emirate of Afghanistan", that was founded by Mohammed Omar, and that is currently led by Mawlawi Hibatullah Akhundzada; and

(B) includes subordinate organizations, such as the Haqqani Network, and any successor organization.

(4) FEBRUARY 29 AGREEMENT.—The term "February 29 Agreement" refers to the political arrangement between the United States and the Taliban titled "Agreement for Bringing Peace to Afghanistan Between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America" signed at Doha, Qatar, February 29, 2020.

(b) OVERSIGHT OF PEACE PROCESS AND OTHER AGREEMENTS.—
(1) TRANSMISSION TO CONGRESS OF MATERIALS RELIANT ON THE FEBRUARY 29 AGREEMENT.—The Secretary of State, in consulta- tion with the Defense Department shall continue to submit to the appropriate congressional committees materials relevant to the February 29 Agreement.

(2) SUBMISSION TO CONGRESS OF ANY FUTURE AGREEMENTS RELIANT ON THE FEBRUARY 29 AGREEMENT.—The Secretary of State, in consultation with the Defense Department shall submit any future agreement or arrangement involving the Taliban in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner.

(3) DEFINITIONS.—In this subsection, the terms "material relevant to the February 29 Agreement" and "materials relevant to any future agreement or arrangement" include all annexes, appendices, and instruments for implementation of the February 29 Agreement or a future agreement or arrangement, as well as any understandings or expectations related to the Agreement or a future agreement or arrangement.

(c) REPORT ON VERIFICATION AND COMPLIANCE.—
(1) IN GENERAL.—
(A) REPORT.—Not later than 90 days after the date on which the implementation of this Act and not less frequently than once every 120 days thereafter, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreements, and accompanying implementing frameworks are being preserved and honored.

(B) BRIEFING.—At the time of each report submitted under subparagraph (A), the Secretary of State shall direct a Senate-con- firmed Department of State official and other appropriate officials to brief the appropriate congressional committees on the content of the report. The Director of National Intelligence shall also direct an appropriate official to participate in the briefing.

(2) ELEMENTS.—The report and briefing required under paragraph (1) shall include—
(A) an assessment of the Taliban’s compliance with counterterrorism guarantees, including guarantees to deny safe haven and freedom of movement to al-Qaeda and other terrorist threats from operating on territory under its influence; and

(1) whether the United States intelligence community has collected any intelligence indicating the Taliban does not intend to uphold its commitments;

(B) an assessment of Taliban actions against terrorist threats to United States national security interests;

(C) an assessment of whether Taliban officials have made a complete, transparent, and verifiable breaking of all ties with al-Qaeda;

(D) an assessment of the current relationship between the Taliban and al-Qaeda, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(E) an assessment of the relationship between the Taliban and any other terrorist group that is assessed to threaten the security of the United States or its interests, including any change in conduct since February 29, 2020;

(F) an assessment of whether the Haqqani Network has broken ties with al-Qaeda, and whether the Haqqani Network’s leader Sirajuddin Haqqani remains part of the leadership structure of the Taliban;

(G) an assessment of the threats emanating from Afghanistan against the United States homeland and United States partners, and a description of how the United States Government is responding to those threats;

(H) an assessment of intra-Afghan discussions, political reconciliation, and progress towards a political roadmap that seeks to see all Afghanis;

(I) an assessment of the viability of any intra-Afghan governing agreement;

(J) an assessment as to whether the terms of any reduction in violence or ceasefire are being met by all sides in the conflict;

(K) a detailed overview of any United States and NATO presence remaining in Afghanistan and any planned changes to such force posture;

(L) an assessment of the status of human rights, including the rights of women, minorities, and youth;

(M) an assessment of the access of women, minorities, and youth to education, justice, and economic opportunities in Afghanistan; consistency with the status of the rule of law and governance structures at the central, provincial, and district levels of government;

(N) an assessment of the media and of the press and civil society’s operating space in Afghanistan;

(P) an assessment of illicit narcotics production in Afghanistan and its link to terror- orism, corruption, and instability, and policies to counter illicit narcotics flows;
 SEC. 10. DESIGNATION OF NATIONAL HERITAGE AREAS.
(a) DEFINITIONS.—In this section:
(1) LOCAL COORDINATING ENTITY.—The term ‘local coordinating entity’ means the entity designated by Congress—
(A) to carry out, in partnership with other individuals and entities, the management plan for a National Heritage Area; and
(B) to operate the National Heritage Area, including through the implementation of projects and programs among diverse partners in the National Heritage Area.
(2) NATIONAL HERITAGE AREA.—The term ‘National Heritage Area’ means a component of the National Heritage Area System described in subsection (b) (2).
(3) NATIONAL HERITAGE AREA SYSTEM.—The term ‘National Heritage Area System’ means the system established by subsection (b) (2).
(b) PROPOSED NATIONAL HERITAGE AREA.—The term ‘proposed National Heritage Area’ means an area that is proposed to be designated as a National Heritage Area.
(c) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.
(d) TRIBAL GOVERNMENT.—The term ‘Tribal government’ means the governing body of an Indian Tribe included on the most recent list published by the Secretary pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).
§ SA 1962. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 494, to authorize appropriations for fiscal year 2021 for military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle G of title X, add the following:

(i) considered to be a unit of the National Park System;
(ii) subject to the authorities applicable to units of the National Park System.
(d) RULE OF CONSTRUCTION.—Nothing in this section shall prejudice whether a future rule of construction shall be applied.
(e) Certification.—Not later than 1 year after receiving a study carried out by interest-
(II) are worthy of recognition, conservation, interpretation, and continuing use; and
(III) would be best managed—
1. (aa) through partnerships among public and private entities; and
2. (bb) by linking diverse and sometimes non-contiguous resources and active communities;
3. (i) reflects traditions, customs, beliefs, and folklore that are a valuable part of the story of the United States;
4. (ii) provides outstanding opportunities—
5. (I) for natural, cultural, historic, cultural, or scenic features; and
6. (II) for recreation and education;
7. (a) includes resources that—
8. (I) are important to any identified themes of the proposed National Heritage Area; and
9. (II) retain a degree of integrity capable of supporting interpretation;
10. (i) includes residents, business interests, nonprofit organizations, and State and local governments that—
11. (I) are involved in the planning of the proposed National Heritage Area;
12. (II) have developed a conceptual financial plan that outlines the roles of all participants in the proposed National Heritage Area, including the Federal Government; and
13. (III) have demonstrated support for the designation of the proposed National Heritage Area;
14. (v) has a potential management entity to work in partnership with the individuals and entities identified in paragraph (B)(i) to develop the proposed National Heritage Area while encouraging State and local economic activity; and
15. (vii) has a conceptual boundary map that is supported by the public.

(D) REPORT.—
1. (I) IN GENERAL.—For each study carried out under subparagraph (B), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—
2. (i) the findings of the study; and
3. (ii) any conclusions and recommendations of the Secretary.

(ii) STUDIES CARRIED OUT BY OTHER INTERESTED PARTIES.—With respect to a study carried out by an interested individual or entities in accordance with subparagraph (B)(i)(II), the Secretary shall submit a report under clause (i) not later than 3 years after the date on which funds and first made available to carry out the study.

(ii) STUDIES CARRIED OUT BY OTHER INTERESTED PARTIES.—With respect to a study carried out by an interested individual or entities in accordance with subparagraph (B)(ii)(II), the Secretary shall submit a report under clause (i) not later than 180 days after the date on which the Secretary certifies under subparagraph (B)(ii) that the study meets the requirements of subparagraph (C).

(2) DESIGNATION.—
1. (A) IN GENERAL.—An area may be designated as a National Heritage Area only by an Act of Congress.
2. (B) DESIGNATION.—On receipt of a report under paragraph (1)(B) recommending the designation of a proposed National Heritage Area as a National Heritage Area, Congress may designate—
3. (i) a National Heritage Area the proposed National Heritage Area that is the subject of the relevant feasibility study; and
4. (ii) a local coordinating entity to operate the National Heritage Area.

(C) TREATMENT AS COMPONENT OF NATIONAL HERITAGE AREA SYSTEM.—A National Heritage Area designated under subparagraph (B)(ii) is a component of the National Heritage Area System, unless the law designating the National Heritage Area exempts the National Heritage Area from the National Heritage Area System through a specific reference to this section.

(D) MANAGEMENT PLAN.—
1. (A) IN GENERAL.—The applicable local coordinating entity shall develop a management plan for a National Heritage Area in accordance with subparagraph (B).
2. (B) REQUIREMENTS.—The management plan for a National Heritage Area shall—
3. (i) be developed using a comprehensive planning approach that includes—
4. (I) planning entities (such as community members, local and regional governments, Tribal governments, businesses, nonprofit organizations, and others) to be involved in the planning process; and
5. (ii) review and comment on the draft plan; and
6. (III) documentation of the planning and public participation processes, including a description of—
7. (aa) the means by which the management plan was prepared; and
8. (bb) the stakeholders involved in the process; and
9. (cc) the timing and method of stakeholder involvement;
10. (ii) include an inventory of the natural, historic, cultural, and scenic resources of the National Heritage Area relating to the nationally significant themes and events of the region that should be protected, enhanced, interpreted, managed, or developed;
11. (iii) identify comprehensive goals, strategies, policies, and recommendations for—
12. (I) demonstrating the heritage represented by the National Heritage Area; and
13. (II) encouraging long-term resource protection, enhancement, interpretation, and development;
14. (iv) include recommendations for ways in which Federal, State, Tribal, and local entities may best be coordinated, including the planning, management, and sustainability in the applicable National Heritage Area; and
15. (v) provide for a National Heritage Area to advance the purposes of this section; and
16. (vii) the manner in which the management entity will achieve financial sustainability;
17. (viii) include an implementation program that identifies, with respect to the National Heritage Area—
18. (I) prioritized actions and criteria for selecting future projects;
19. (II) existing and potential sources of funding;
20. (III) performance goals;
21. (IV) the means by which stakeholders will be involved; and
22. (v) the manner in which the management plan will be evaluated and updated; and
23. (vi) include a business plan for the local coordinating entity that, at a minimum, addresses management and operation, products or services offered, the target market for those products and services, and revenue streams; and
24. (viii) be submitted to the Secretary for approval not later than 3 years after the date on which the National Heritage Area is designated by Congress under paragraph (2).

(C) APPLICABILITY.—The requirements described in subparagraph (B) shall not apply to any management plan or other similar plan in effect on the date of enactment of this Act with respect to a National Heritage Area described in subsection (b)(2)(A).

(D) EVALUATION.—
1. (I) IN GENERAL.—At reasonable and appropriate intervals, as determined by the Secretary, the Secretary may—
2. (A) conduct an evaluation of the accomplishments of a National Heritage Area in accordance with paragraph (2); and
3. (B) prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—
4. (i) accomplishing the purposes of the applicable National Heritage Area; and
5. (ii) the goals and objectives of the management plan;
6. (B) analyze Federal, State, local, Tribal government, and private investments in the National Heritage Area to determine the leverage and impact of the investments; and
7. (C) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(4) CONFORMING AMENDMENT.—Section 3852(a) of Public Law 113–291 (54 U.S.C. 320101 note) is amended by striking paragraph (2).

(e) PROPERTY OWNERS AND REGULATORY PROTECTIONS.—Nothing in this section—
1. (1) abridges any right of a public or private property owner, including the right to participate in planning, program, or activity conducted within a National Heritage Area;
2. (2) requires any property owner to permit participation in planning, program, or activity conducted within a National Heritage Area;
3. (3) authorizes or implies the reservation or appropriation of water or water rights;
4. (4) diminishes the authority of a State to manage fish and wildlife, including through the regulation of fishing and hunting within a National Heritage Area in the State; or
5. (5) creates or affects any liability—
6. (A) under any other provision of law; or
7. (B) of any private property owner with respect to any person injured on private land;
8. (6) alters any applicable land use regulation, land use plan, or other regulatory authority of any Federal, State, or local agency or Tribal government; or
9. (7) conveys to any local coordinating entity any land use or other regulatory authority;
10. (8) authorizes or implies the reservation or appropriation of water or water rights;
11. (9) diminishes the authority of a State to manage fish and wildlife, including through the regulation of fishing and hunting within a National Heritage Area in the State; or
12. (10) creates or affects any liability—
13. (A) under any other provision of law; or
14. (B) of any private property owner with respect to any person injured on private property.

(1) AUTHORIZATION OF APPROPRIATIONS.—
1. (A) IN GENERAL.—Notwithstanding any other provision of law, there is authorized to be appropriated to the Secretary for each fiscal year an amount not more than $1,000,000 for each National Heritage Area.

(2) COST-SHARING REQUIREMENT.—
(A) Federal Share.—Except as otherwise provided in applicable law, including any law designating a National Heritage Area, the Federal share of the total cost of any activity funded with appropriations authorized by paragraph (1) shall be not more than 50 percent.

(B) Form of Non-Federal Share.—The non-Federal share of the total cost of any activity funded with appropriations authorized by paragraph (1) may be in the form of kind contributions of goods or services fairly valued.

(C) Authority to Provide Assistance.—Notwithstanding any other provision of law, the Secretary may provide assistance to a National Heritage Area during any fiscal year for which appropriations are authorized under paragraph (1).

SA 1963. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

SEC. 8. REPORT ON USE OF DOMESTIC NON-AVAILABILITY DETERMINATIONS.

Not later than September 30, 2021, and annually thereafter, the Secretary of Defense shall submit a report to congressional defense committees:

(1) describing in detail the use of any waiver or exception to the requirements of section 2531a of title 10, United States Code, relating to domestic nonavailability determinations;

(2) providing reasoning for the use of each such waiver or exception; and

(3) providing an assessment of the impact on the use of such waivers or exceptions due to the COVID-19 pandemic and associated challenges with investments in domestic sources.

SA 1965. Mr. HEINRICH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriates for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 4. ADDITION OF OTHER DUTY STATUSES TO QUALIFY FOR POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) Qualifying Duty.—Section 3311(b) of title 38, United States Code, is amended—

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

(2) by inserting after paragraph (2) the following new paragraph (3):

(3) The term "other qualifying duty" means the following:

(A) Duty under section 502 of title 32.

(B) Duty for which a member is eligible to receive pay under section 204, 206, or 372 of title 10.

(c) Effective Date.—The amendments made by this section shall take effect on August 1, 2021, and shall apply with respect to—

(1) academic years beginning on or after August 1, 2021; and

(2) service performed before, on, or after the date of the enactment of this Act by a person who was a member of the Armed Forces on or after the date of the enactment of this Act.

SA 1966. Mr. TESTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriates for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1. ASSISTANCE FOR FARMER AND RANCHER STRESS AND MENTAL HEALTH OF INDIVIDUALS IN RURAL AREAS.

(a) Definition of Secretary.—In this section, the term "Secretary" means the Secretary of Agriculture.

(b) Findings.—Congress finds that—

(1) according to the Centers for Disease Control and Prevention, the suicide rate is 45 percent greater in rural areas of the United States than the suicide rate in urban areas of the United States;

(2) farmers face social isolation, the potential for financial losses, barriers to seeking mental health services, and access to lethal means to commit suicide; and

(3) as commodity prices fall and farmers face uncertainty, reports of farmer suicides are increasing.

(c) Public Service Announcement Campaign to Address Farm and Ranch Mental Health.—

(1) In General.—The Secretary, in consultation with the Secretary of Health and Human Services, shall carry out a public service announcement campaign to address the mental health of farmers and ranchers.

(2) Requirements.—The public service announcement campaign under paragraph (1) shall include television, radio, print, outdoor, and digital public service announcements.

(3) Contractor.—The Secretary may enter into a contract or other agreement with a third party to carry out the public service announcement campaign under paragraph (1).

(d) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this subsection.
$3,000,000, to remain available until expended.

(d) **EMPLOYEE TRAINING PROGRAM TO MANAGE FARMER AND RANCHER STRESS.**—

(1) **IN GENERAL.**—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921 et seq.) is amended by adding at the end the following:

SEC. 224B. **EMPLOYEE TRAINING PROGRAM TO MANAGE FARMER AND RANCHER STRESS.**

(a) **IN GENERAL.**—The Secretary shall establish a voluntary program to train employees of the Service Agency, the Risk Management Agency, and the Natural Resources Conservation Service in the management of stress experienced by farmers and ranchers, including the detection of stress and suicide prevention.

(b) **REQUIREMENT.**—Not later than 180 days after the date on which the Secretary submits a report on the results of the pilot program being carried out by the Secretary as of the date of enactment of this section to train employees of the Department in the management of stress experienced by farmers and ranchers, and based on the recommendations contained in that report, the Secretary shall develop a training program to carry out section 224B.

(c) **REPORT.**—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the implementation of this section.

(2) **CONFORMING AMENDMENTS.**—

(A) Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by redesignating section 225 (7 U.S.C. 6925) as section 224A.

(B) Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following new paragraph:

(1) **The authority of the Secretary to carry out section 224B.**

(3) **TASK FORCE FOR ASSESSMENT OF CAUSES OF MENTAL STRESS AND BEST PRACTICES FOR RESPONSE.**—

(1) **IN GENERAL.**—The Secretary shall convene a task force of agricultural and rural stakeholders at the national, State, and local levels—

(A) to assess the causes of mental stress in farmers and ranchers; and

(B) to identify best practices for responding to that mental stress.

(2) **SUBMISSION OF REPORT.**—Not later than 1 year after the date of enactment of this Act, the task force convened under paragraph (1) shall submit to the Secretary a report containing the assessment and best practices under subparagraphs (A) and (B), respectively, of that paragraph.

(3) **COLLABORATION.**—In carrying out this subsection, the task force convened under paragraph (1) shall collaborate with non-governmental organizations and State and local agencies.

SA 1968. Mr. TESTER submitted an amendment intended to be proposed by him on bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 7. **INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) **SUICIDE PREVENTION PROGRAM.**—

(1) **IN GENERAL.**—Section 1729F of title 38, United States Code, is amended by adding at the end the following new subsection:

(1) **COVERED INDIVIDUAL DEFINED.**—In this section, the term ‘‘covered individual’’ means a veteran or a member of the reserve components of the Armed Forces.

(2) **IN GENERAL.**—Subsection (f) of section 1729 of title 38, United States Code, is amended by striking "3-year period ending October 1, 2016", and inserting "3-year period beginning on August 1, 2016".

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect as if enacted on June 30, 2019.

SA 1968. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him on bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

The Senate, in consultation with the Secretary of Defense, may furnish mental health services to members of the reserve components of the Armed Forces.

SEC. 7. **INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) **SUICIDE PREVENTION PROGRAM.**—

(1) **IN GENERAL.**—Section 1729F of title 38, United States Code, is amended by adding at the end the following new subsection:

(1) **COVERED INDIVIDUAL DEFINED.**—In this section, the term ‘‘covered individual’’ means a veteran or a member of the reserve components of the Armed Forces.

(2) **IN GENERAL.**—Subsection (f) of section 1729 of title 38, United States Code, is amended by striking "3-year period ending October 1, 2016", and inserting "3-year period beginning on August 1, 2016".

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect as if enacted on June 30, 2019.

SEC. 7. **INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) **SUICIDE PREVENTION PROGRAM.**—

(1) **IN GENERAL.**—Section 1729F of title 38, United States Code, is amended by adding at the end the following new subsection:

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect as if enacted on June 30, 2019.
SA 1969. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was agreed to by the Senate by the Yeas and Nays: Yea 99, Nay 0.

Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was agreed to by the Senate by the Yeas and Nays: Yea 99, Nay 0.

SA 1970. Mr. TESTER, as an amendment to S. 1971, proposed an amendment intended to be proposed by him to the bill S. 1971, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was agreed to by the Senate by the Yeas and Nays: Yea 99, Nay 0.

Mr. TESTER, as an amendment to S. 1971, proposed an amendment intended to be proposed by him to the bill S. 1971, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was agreed to by the Senate by the Yeas and Nays: Yea 99, Nay 0.

Mr. TESTER, as an amendment to S. 1971, proposed an amendment intended to be proposed by him to the bill S. 1971, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was agreed to by the Senate by the Yeas and Nays: Yea 99, Nay 0.

Mr. TESTER, as an amendment to S. 1971, proposed an amendment intended to be proposed by him to the bill S. 1971, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was agreed to by the Senate by the Yeas and Nays: Yea 99, Nay 0.
to the bill S. 4049, to authorize appro- priations for fiscal year 2021 for mili- tary activities of the Department of Defense, for military construction, and for defense activities of the Depart- ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 732. ACCESS OF VETERANS TO INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.

The Secretary of Veterans Affairs, in con- sultation with the Secretary of Defense, shall provide to a veteran read-only access to the Individual Longitudinal Exposure Record in a printable format through a portal access- able through a website of the Department of Veterans Affairs and a website of the Depart- ment of Defense.

SA 1972. Mr. TESTER (for himself, Mr. BROWN, Mr. SCHATZ, Mr. MARKEY, Ms. HASCHEK, Mr. KLECHCIK, Ms. KAIN, Mr. BENNETT, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. SHAHEREN, Ms. WAREN, Ms. SMITH, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. RODEN, Mr. COURTES, Mr. WARNER, Ms. BALDWIN, Mr. BUCKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart- ment of Energy, to prescribe mili- tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ADDITIONAL DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HER- BICIDE AGENTS FOR WHICH THERE IS A PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO SERVED IN THE REPUBLIC OF VIET- NAM.

Section 1116(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraphs:

"(i) Parkinsonism.

"(J) Bladder cancer.

"(K) Hypertension.

"(L) Hypothyroidism.".

SA 1973. Mr. TESTER (for himself, Mr. HOEVEN, Mr. UDALL, and Mr. Cramer) submitted an amendment intended to be proposed by him to the bill S. 4049 to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. RENTAL ASSISTANCE FOR HOME- LESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

"(i) Definitions.—In this subparagraph:

"(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

"(aa) homeless or at risk of homelessness; and

"(bb) living—

"(AA) on or near a reservation; or

"(BB) in or near any other Indian area.


"(III) INDIAN; INDIAN AREA.—The terms 'In- dian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

"(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

"(V) PROGRAM.—The term 'Program' means the Tribal HUD-VASH program carried out under clause (ii).

"(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 605 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4113).

"(VII) OFFICE.—The term 'Office' means the Office of Indian Housing Programs of the Department of Housing and Urban Development.

"(VIII) Secretary.—The term 'Secretary' means the Secretary of Veterans Affairs.

"(IX) TRIBAL SECRETARY.—The term 'tribal secret- ary' means the tribal official in the Bureau of Indian Affairs responsible for the allocation of funds for the operation of the Tribal HUD-VASH Program under section 4111 of title 25, United States Code.

"(X) Tribal HUD-VASH VETERAN.—The term 'tribal HUD-VASH veteran' means a veteran who is—

"(aa) homeless or at risk of homelessness; and

"(bb) living—

"(AA) on or near a reservation; or

"(BB) in or near any other Indian area.

"(XI) TRIBAL VETERANS.—The term 'tribal veterans' means the veterans eligible for assistance under the Tribal HUD-VASH Program.

"(XII) TRIBAL VETERANS ASSISTANCE PROGRAM.—

"(a) In general.—The Secretary shall award grants to the Program to eligible Indian veterans.

"(b) Administration.—Grants awarded under subsection (a) shall be administered by the Secretary in consultation with the Secretary of Veterans Affairs, and in coordination with the Secretary of Housing and Urban Development, the Committee on Veterans’ Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives.

"(c) Reporting.—The Secretary shall—

"(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

"(II) provide to the Secretary information specified by the Secretary to assess the effec- tiveness of the Program in serving eligi- ble Indian veterans.

"(XIII) Consultation.—

"(a) Grant recipients; tribal organiza- tions.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall con- sult, in a manner prescribed by the Secretary, with appropriate tribal organiza- tions on the design of the Program to ensure the effective delivery of rental assistance and supportive serv- ices to eligible Indian veterans.

"(b) Information.—The Secretary may—

"(I) Grant recipients; tribal organiza- tions.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall con- sult, in a manner prescribed by the Secretary, with appropriate tribal organiza- tions on the design of the Program to ensure the effective delivery of rental assistance and supportive serv- ices to eligible Indian veterans.

"(II) Waiver.—

"(a) General.—The Secretary may—

"(I) in general.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any pro- vision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and ad- ministration of rental assistance under the Program to eligible Indian veterans.

"(II) Waiver exemptions.—The Secretary may not waive or specify alternative requirements for purposes under section 901 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) relating to labor standards or the environment.

"(c) Renewal grants.—The Secretary may—

"(I) in general.—Except as provided in subsection (b), the Secretary shall make renewal grants to eligible recipients to serve eligible Indian veterans.

"(II) Analysis of housing stock limits.—The Secretary shall—

"(a) conduct a review of the implementa- tion of the Program, including any factors that may have limited its success; and

"(b) submit a report describing the results of the review under item (a) to—

"(aa) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans’ Affairs, and the Committee on Appropriations of the Senate; and

"(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Appropriations of the Committee on Financial Services, the Committee on Vet- erans’ Affairs, and the Committee on Appropriations of the House of Representatives.

"(d) Analysis of housing stock limita- tion.—The Secretary shall include in the ini- tial report submitted under subsection (a) a description of any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) with the Program; and

"(bb) the number of recipients of grants under the Program that have reported the
At the end of subtitle E of title XII, add the following:


(a) IN GENERAL.—The Secretary of Defense shall conduct and infrastructure purchases and investments by—

(1) the Government of the People's Republic of China;

(2) entities directed or backed by the Government of the People's Republic of China; and

(3) entities with beneficial owners that include the Government of the People's Republic of China or a private company controlled by the Government of the People's Republic of China.

(b) ELEMENTS.—The review required by subsection (a) shall include the following:

(1) A list of port and infrastructure purchases and investments described in that subsection, prioritized in order of the purchases or investments that pose the greatest threat to United States defense and foreign policy interests.

(2) An analysis of the effects the consolidation of such investments, or the assertion of control by the Government of the People's Republic of China over entities described in paragraph (1) or (2) of that subsection, would have on Department of Defense contingency plans.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review under subsection (a), the Secretary shall coordinate with the head of any other Federal agency, as the Secretary considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(e) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1975. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 320. PAYMENTS TO STATES FOR THE TREATMENT OF PERFLUOROAOCTANE SULFONIC AND PERFLUOROOCTANIC ACID IN DRINKING WATER.

(a) IN GENERAL.—The Secretary of the Air Force shall pay a local water authority located in the vicinity of an installation of the Air Force, or a State in which the local water authority is located, an amount equal to the cost of the treatment of perfluoroacetate sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated by the local water authority. The Secretary shall establish a health advisory level for such acids established by the Environmental Protection Agency and in effect on October 1, 2017.

(b) ELIGIBILITY FOR PAYMENTS.—To be eligible to receive payment under subsection (a)—

(1) a local water authority or State, as the case may be, must—

(A) request such a payment from the Secretary of the Air Force for reimbursable expenses not already covered under a cooperative agreement entered into by the Secretary relating to treatment of perfluoroacetate sulfonic acid and perfluorooctanoic acid; and

(B) upon acceptance of such a payment, waive all legal causes of action arising under chapter 171 of title 28, United States Code (commonly known as the Federal Tort Claims Act), and any other Federal tort liability statute for expenses for treatment and mitigation of perfluoroacetate sulfonic acid and perfluorooctanoic acid incurred before January 1, 2018, and otherwise covered under this section;

(2) in the event of elevated levels of perfluoroacetate sulfonic acid and perfluorooctanoic acid in the water must be the result of activities...
conducted by or paid for by the Department of the Air Force; and

(3) treatment or mitigation of such acids must have taken place during the period beginning on January 1, 2016, and ending on the day before the date of the enactment of this Act.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Air Force may enter into such agreements with a local water authority or State as the Secretary considers necessary to implement this section.

(2) USE OF MEMORANDUM OF AGREEMENT.—The Secretary of the Air Force may use the applicable Defense State Memorandum of Agreement provisions under subsection (a) that would otherwise be eligible for payment under that agreement were those costs paid using amounts appropriated to the Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

(d) PAYMENT WITHOUT REGARD TO EXISTING AGREEMENTS.—Payment made under subsection (a) may not exceed the actual cost of treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid resulting from amounts paid by or paid for by the Department of the Air Force.

(e) AVAILABILITY OF AMOUNTS.—Of the amounts authorized to be appropriated to the Department of Defense for Operation and Maintenance, Air Force, up to $10,000,000 shall be available to carry out this section.

SA 1979. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049 to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

The amendment adds the following provision:

SEC. 1085. REQUIREMENT TO USE DEFENSE PRODUCTION ACT AUTHORITIES TO INVESTIGATE ALUMINUM PRODUCTION CAPACITY IN UNITED STATES.

If aluminum production capacity in the United States falls below 865,000 tons in a year, as determined by the United States Geological Survey, the Secretary of Defense shall, without the need for the authorization of the President under paragraph (1) of section 301(a) of the Defense Production Act of 1950 (50 U.S.C. 453a(a)) or a determination by the President described in paragraph (2) of that section, use the authorities provided by title II of chapter 45 of title 50 to use the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to expand the production capacity of the aluminum industry in the United States.

SA 1980. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

SEC. 3, DOMESTIC SOURCING REQUIREMENTS FOR ALUMINUM.

(a) FINDING.—The Secretary finds that aluminum production capacity in the United States is critical to United States national security.

(b) DESIGNATION OF ALUMINUM AS SPECIALTY METAL.—Section 2533b(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(g) Aluminum and aluminum alloys,“.

(c) FEDERAL HIGHWAY ADMINISTRATION.—Section 313(a) of title 23, United States Code, is amended by striking ‘‘steel, iron, and goods’’ and inserting ‘‘steel, iron, aluminum, and manufactured goods’’.

(d) FEDERAL TRANSIT ADMINISTRATION.—Section 5320(j) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ‘‘only if the steel, iron, and manufactured goods’’; and

(2) in paragraph (2), by striking ‘‘steel, iron, and goods’’ and inserting ‘‘steel, iron, aluminum, and manufactured goods’’.

SA 1981. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3, MODIFICATION OF REAL-TIME SOUND-MONITORING AT NAVY INSTALLATIONS WHERE TACTICAL FIGHTER AIRCRAFT OPERATE.

Section 325 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ‘‘and noise contours have been described in noise modeling’’; and

(B) by amending paragraph (1) to read as follows:

“(1) for a continuous one-year period beginning on or after the date of enactment of this Act, the

(2) by adding paragraph (2) to read as follows:

“(2)(A) the Secretary shall conduct real-time sound monitoring described in subsection (a) in training areas that consist of real property administered by the Federal Government (including the Department of Defense, the Department of the Interior, and the Department of Agriculture) that are a State or local government that is predominantly flown over by tactical fighter aircraft from the installations selected under such subsection and outlying landing fields.”.

SA 1982. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 3, INVESTIGATION AND REPORT ON ISSUANCE OF PASSPORTS AND TRAVEL DOCUMENTS TO CITIZENS OF SAUDI ARABIA IN THE UNITED STATES.

(a) INVESTIGATION.—The Secretary of State shall conduct an investigation on the issuance by the Government of Saudi Arabia of passports and other travel documents to citizens of Saudi Arabia in the United States.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the investigation under subsection (a).

(2) MATTER TO BE INCLUDED.—The report required by paragraph (1) shall include, with respect to the manner in which passports and travel documents are issued to citizens of Saudi Arabia in the United States, an assessment whether the Government of Saudi Arabia is in compliance with its obligations under the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963.

SA 1983. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3, PRESERVATION OF AMERICAN JURISDICTION.

(a) SHORT TITLE.—This section may be cited as the “Preservation of American Justice Act”.

(b) INVESTIGATION OF CERTAIN FOREIGN NATIONALS—

(1) INVESTIGATION.—Not later than 90 days after the date of enactment of this Act, the
Attorney General shall complete an investigation of whether the Government of Saudi Arabia materially assisted or facilitated any citizen or national of Saudi Arabia, including Waleed Ali Al-Duways, Waleed Ali Alharithi, Suliman Ali Algaizwi, and Ali Hussain Alhamoud, in departing from the United States while the citizen or national was awaiting trial or sentencing for a criminal offense committed in the United States.

(2) REPORT.—The Attorney General determines that the Government of Saudi Arabia did materially assist or facilitate a citizen or national of Saudi Arabia as described in paragraph (1), the Attorney General shall submit a written report to Congress and the Secretary of State detailing the findings of the investigation.

(3) PROHIBITION ON ISSUANCE AND REVOCATION OF CERTAIN VISAS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), if the Secretary of State receives a report under paragraph (2), the Secretary of State may not issue a visa, and shall revoke any visa issued, to a Member of the Council of Ministers of Saudi Arabia, an immediate family member of a Member of the Council of Ministers of Saudi Arabia, a descendant of the King of Saudi Arabia, or an immediate family member of such a descendant, on which the government or national of Saudi Arabia described in the report is extradited to the United States for completion of the trial or sentencing.

(B) EXCEPTION.—The Secretary of State may issue a visa otherwise prohibited under subparagraph (A), or not revoke a visa otherwise required to be revoked under such subparagraph, if the Secretary determines that it is necessary:

(i) to enable the President to receive an Ambassador or a public minister from Article II, section 3, of the Constitution in a manner consistent with the Vienna Conventions on Diplomatic and Consular Relations; or

(ii) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or with any other applicable international obligations.

(C) TREATMENT OF FOREIGN NATIONALS SEEKING THE UNITED STATES DURING CRIMINAL PROCEEDINGS.—

(1) FOREIGN NATIONAL DEFINED.—In this subsection, the term ‘foreign national’ means an individual in the United States who is not a citizen of the United States.

(2) REPORT TO CONGRESS.—If the Secretary of Defense submits a report under the Vienna Conventions on Diplomatic and Consular Relations, done at Vienna April 18, 1961; and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963, on foreign nationals seeking the United States during criminal proceedings, the report shall include a description of any adverse environmental impacts, or impacts to the health and safety of local populations, in the demilitarization of unserviceable munitions.

(3) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(4) TECHNOLOGIES.—If the Secretary determines for purposes of the report that the demilitarization of unserviceable munitions located outside the United States is feasible and advisable, the report shall include a description and assessment of various technologies and other mechanisms that would be suitable for such demilitarization.

SA 1984. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ... REPORT ON THE DEMILITARIZATION ABDAY OF UNSERVICEABLE MUNITIONS LOCATED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasibility and advisability of demilitarizing abroad unserviceable munitions that are located outside the United States in order to avoid the costs of transporting such munitions to the United States for demilitarization.

(b) CONSIDERATIONS.—In preparing the evaluation required for the report, the Secretary shall take into account the following:

(1) the adverse environmental impacts, or impacts to the health and safety of local populations, in the demilitarization of unserviceable munitions.

(2) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(3) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(c) TECHNOLOGIES.—If the Secretary determines for purposes of the report that the demilitarization of unserviceable munitions located outside the United States is feasible and advisable, the report shall include a description and assessment of various technologies and other mechanisms that would be suitable for such demilitarization.

SA 1985. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ... SECRETARY OF DEFENSE CONSIDERATION OF POWERED EXOSKELETONS AND HUMAN CONTROLLED ROBOTS FOR HEAVY LIFT SUSTAINMENT TASKS.

Whenever the Secretary of Defense evaluates the research and development of emerging war-fighting technologies, the Secretary shall consider the use of full-body, autonomously powered exoskeletons and semi-autonomous, remotely operated or tele-operated, heavy-lift, human controlled robots used for heavy lift sustainment tasks.

SA 1986. Mr. Kennedy (for himself and Ms. Baldwin) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ... SBIR AND STTR PILOT PROGRAM FOR UNDERPERFORMING STATES.

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

DEPARTMENT OF DEFENSE PILOT PROGRAM FOR UNDERPERFORMING STATES.

(1) DEFINITIONS.—In this section:

(A) DEPARTMENT.—The term ‘Department’ means the Department of Defense.

(B) UNDERPERFORMING STATE.—The term ‘underperforming State’ means any State participating in the SBIR or STTR program that is in the bottom 15 percent of all States historically receiving SBIR or STTR program funding.

(2) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to provide small business concerns located in underperforming States an increased level of assistance under the SBIR and STTR programs of the Department.

(3) ACTIVITIES.—Under the pilot program, the Department, and any component agency thereof, may:

(A) in any case in which the Department seeks to make a Phase II SBIR or STTR award to a small business concern based on the results of a Phase I award to the small business concern by another agency, establish a streamlined transfer and fast track approval process for that Phase II award.

(B) provide an additional Phase II SBIR or STTR award to a small business concern located in an underperforming State that received a Phase I SBIR or STTR award, subject to an increase in the allocation percentage.

(C) establish a program to make Phase 1 SBIR or STTR awards to small business concerns located in underperforming States in order to provide funding for 12 to 24 months to continue the development of technology; and

(D) carry out subparagraph (C) along with other mentorship programs.

(4) DURATION.—The pilot program established under this subsection, including the improvement in funding under the SBIR and STTR programs of the Department, shall terminate 5 years after the date on which the pilot program is established.

(5) REPORT.—The Department shall submit to Congress an annual report on the status of the pilot program established under this subsection, including the improvement in funding under the SBIR and STTR programs of the Department, of small business concerns located in underperforming States.”.
SA 1987. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 333. INCLUSION OF CERTAIN MILITARY INSTALLATIONS IN MQ-25 STINGRAY PROGRAM.

The Secretary of the Navy shall include in the MQ-25 Stingray program as many military installations under the jurisdiction of the Secretary as feasible—

(a) the term "audit report:" has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a));

(b) the term "Commission" means the Securities and Exchange Commission;

(c) the term "covered form"—

(i) means—

(I) the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulations; and

(II) the form described in section 249.220 of title 17, Code of Federal Regulations, or any successor regulation; and

(ii) includes a form that—

(I) is the equivalent of, or substantially similar to, the form described in subclause (I) or (II) of clause (i); and

(II) a foreign issuer files with the Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or rules issued under that Act;

(d) the terms "covered issuer" and "non-inspection year" have the meanings given the terms in subsection (i) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by subsection (a) of this section; and

(e) the term "foreign issuer" has the meaning given the term in section 240.3—4 of title 17, Code of Federal Regulations, or any successor regulation.

REQUIREMENT.—Each covered issuer that is a foreign issuer and for which, during a non-inspection year with respect to the covered issuer, a registered public accounting firm described in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by subsection (a) of this section, has prepared an audit report shall disclose in each covered form filed by that issuer that covers such a non-inspection year—

(A) that, during the period covered by the covered form, such a registered public accounting firm has prepared an audit report for the issuer;

(B) the percentage of the shares of the issuer owned by governmental entities in the foreign jurisdiction in which the issuer is incorporated or otherwise organized;

(C) whether governmental entities in the applicable foreign jurisdiction with respect to that registered public accounting firm have a controlling financial interest with respect to the issuer;

(D) the name of each official of the Chinese Communist Party who is a member of the board of directors of—

(i) the issuer; or

(ii) the operating entity with respect to the issuer; and

(E) whether the articles of incorporation of the issuer (or equivalent organizing document) contains any charter of the Chinese Communist Party, including the text of any such charter.

SA 1989. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection C of title III, add the following:

SEC. 335. INCLUSION OF CERTAIN MILITARY INSTALLATIONS IN MQ-25 STINGRAY PROGRAM.

The Secretary of the Navy shall include in the MQ-25 Stingray program as many military installations under the jurisdiction of the Secretary as feasible—

(a) the term "non-inspection year" means, with respect to a covered issuer, a year—

(i) during which the Commission identifies the covered issuer under paragraph (2)(A) with respect to any report described in subsection (a) of section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); and

(ii) that begins after the date of enactment of the Act (15 U.S.C. 78m, 78o(d)); and

(b) the term "covered issuer"—

(i) means—

(I) the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulation; and

(II) the form described in section 249.220 of title 17, Code of Federal Regulations, or any successor regulation; and

(ii) includes a form that—

(I) is the equivalent of, or substantially similar to, the form described in subclause (I) or (II) of clause (i); and

(II) a foreign issuer files with the Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or rules issued under that Act;

(c) the term "covered form"—

(i) means—

(I) the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulation; and

(II) the form described in section 249.220 of title 17, Code of Federal Regulations, or any successor regulation; and

(ii) includes a form that—

(I) is the equivalent of, or substantially similar to, the form described in subclause (I) or (II) of clause (i); and

(II) a foreign issuer files with the Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or rules issued under that Act;

(d) the terms "covered issuer" and "non-inspection year" have the meanings given the terms in subsection (i) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by subsection (a) of this section; and
(1) have joint air sovereignty and homeland defense requirements;
(2) fly aircraft from multiple service branches;
(3) have large bodies of water within their jurisdiction; and
(4) do not currently have air-refueling capabilities.

SA 1990. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of subtitle C of title III, add the following:
SEC. 333. USE OF COST SAVINGS REALIZED FROM INTERGOVERNMENTAL SUPPORT SERVICES AGREEMENTS FOR INSTALLATION-SUPPORT SERVICES.
(a) REQUIREMENT.—Section 2679 of title 10, United States Code, is amended—
(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and
(2) by inserting after subsection (c) the following new subsection (d);
"(d) USE OF COST SAVINGS REALIZED.—(1) With respect to a fiscal year in which cost savings are realized as a result of entering into an intergovernmental support agreement under this section for a military installation, the Secretary concerned shall make not less than 25 percent of the amount of such savings available for the commander of the installation solely for sustained renovation and modernization requirements that have been approved by the major subordinate command or equivalent component.
(2) Not less frequently than annually, the Secretary concerned shall certify to the congressional defense committee the amount of the cost savings achieved, the source and type of intergovernmental support agreement that achieved the savings, and the manner in which those savings were deployed, disaggregated by installation.
".
(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2021 and each subsequent fiscal year.

SA 1991. Mr. KENNEDY (for himself and Mr. Jones) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place, insert the following:
SEC. 2. RESTRICTIONS ON CONFUCIUS INSTITUTES.
(a) DEFINITION.—In this section, the term "Confucius Institute" means a cultural institute directly or indirectly funded by the Government of the People’s Republic of China.
(b) RESTRICTIONS ON CONFUCIUS INSTITUTES.—An institution of higher education or other postsecondary educational institution (as defined in section 101 of the Higher Education Act of 1965) or other Department of Education funds that are provided directly to students) unless the institution has certified that—
(1) it has no relationship with the Confucius Institute; and
(2) the provisions of this section are intended to ensure that—
(A) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(B) the provisions of this section are intended to ensure that—
(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(2) the provisions of this section are intended to ensure that—
(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(2) the provisions of this section are intended to ensure that—

SA 1992. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place, insert the following:
SEC. 3. EXPANSION OF AVAILABILITY OF FINANCIAL ASSETS OF IRAN TO VICTIMS OF TERRORISM.
(a) REQUIREMENT.—Section 362 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 7872) is amended—
(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and
(2) by inserting after subsection (c) the following new subsection (d);
"(d) EXPANSION OF AVAILABLE FINANCIAL ASSETS.—(1) With respect to a fiscal year in which financial assets described in subsection (c) of this section are frozen, the Secretary of the Treasury shall—
(A) make reasonable efforts to permit the holder of such financial assets to—
(i) have a legal right to intervene in that court proceeding;
(ii) have their property released;
(iii) have their property remitted to a custodian under United States law; and
(iv) have their property transferred to a custodian under United States law;
(B) assist in the intervention of the holder of such financial assets in any legal proceeding in which—
(i) the person was the holder of such financial assets;
(ii) the person was a citizen or national of the United States; and
(iii) the person has money or other property that is traceable to Iran;
(C) review the financial assets involved, and shall determine the extent to which the holder of such financial assets has received the benefits of sections 353 and 354 of the Iran Threat Reduction and Syria Human Rights Act of 2012; and
(D) ensure that—
(i) the holder of such financial assets is entitled to receive the financial assets described in subsection (c) of this section.
(2) A holder of financial assets described in subsection (c) of this section may be entitled—
(A) to receive the financial assets described in subsection (c) of this section;
(B) to receive the financial assets described in subsection (c) of this section; and
(C) to receive the financial assets described in subsection (c) of this section.

SA 1993. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the end of section 808, add the following:
(h) SENSE OF CONGRESS ON MITIGATING RISKS OF RELIANCE ON CERTAIN SOURCES OF SUPPLY AND MANUFACTURING FOR PRINTED CIRCUIT BOARDS.—It is the sense of Congress that—
(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(2) the provisions of this section are intended to ensure that—
(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(2) the provisions of this section are intended to ensure that—
(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(2) the provisions of this section are intended to ensure that—
(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and
(2) the provisions of this section are intended to ensure that—

SA 1994. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place, insert the following:
SEC. 1. REPORT ON SUPPLY CHAIN ISSUES FOR RARE EARTH MATERIALS.
Not later than 180 days after the date of the enactment of this Act, the Administrator of the Defense Logistics Agency, in coordination with the Deputy Assistant Secretary of Defense for Industrial Policy, shall submit a report to Congress assessing issues relating to the supply chain for rare earth materials. Such report shall include the following:
(1) An assessment of the rare earth materials in the reserves held by the United States.
(2) A estimate of the needs of the United States for rare earth materials—
(A) in general; and
(B) to support a major near-peer conflict as described in war game scenarios in the 2018 National Defense Strategy.
(3) An assessment of the extent to which substitutes for rare earth materials are available.
(4) A strategy or plan to encourage the use of rare earth materials mined, refined, processed, melted, or sintered in the United States, or from trusted allies, including an assessment of the best acquisition practices (which shall include analysis of best value contracting methods) to ensure the viability of trusted suppliers of rare earth materials to meet national security needs.

SA 1995. Mr. TOOMEY (for himself and Mr. Van HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
After title XVI, insert the following:
TITLE XVII—HONG KONG AUTONOMY ACT
SEC. 1701. SHORT TITLE.
This title may be cited as the “Hong Kong Autonomy Act.”
SEC. 1702. DEFINITIONS.
In this title:
(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms “alien”, “national”, and “national of the United States” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).
(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term “appropriate congressional committees and leadership” means—
(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Intelligence, and the majority leader and the minority leader of the Senate; and
(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Select Committee on Intelligence, and the Speaker and the majority leader of the House of Representatives.

(3) Basic Law.—The term “Basic Law” means the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China.

(4) Committee.—The term “China” means the People’s Republic of China.

(5) Entity.—The term “entity” means a partnership, joint venture, association, corporation, network, group, or subgroup, or any other form of business collaboration.

(6) Financial institution.—The term “financial institution” means a financial institution specified in section 5312(a)(2) of title 31, United States Code.

(7) Hong Kong.—The term “Hong Kong” means the Hong Kong Special Administrative Region of the People’s Republic of China.


(9) Knowingly.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(10) Person.—The term “person” means an individual or entity.

(11) United States person.—The term “United States person” means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

SEC. 1703. FINDINGS. Congress makes the following findings:

(1) The Joint Declaration and the Basic Law contain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were confirmed in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, were passed into the Hong Kong Basic Law, and are widely considered by citizens of Hong Kong, at the advice of the Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region will enjoy a high degree of autonomy of Hong Kong.

(4) Foremost among the obligations of the Government of China under the Joint Declaration is the “high degree of autonomy” of Hong Kong.

(5) The Basic Law makes clear that additional obligations must be added to the “high degree of autonomy” of Hong Kong.

(6) The Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(7) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People’s Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, has not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law, (1) openly expressed its support for candidates in Hong Kong for Chief Executive and Legislative Council elections, (2) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong, and (3) asserted that both the Liaison Office of China and the Hong Kong and Macau Affairs Office of the State Council “have the right to exercise supervision . . . on affairs regarding Hong Kong and the mainland, in order to ensure correct implementation of the Basic Law”.

(D) The National People’s Congress has passed laws requiring Hong Kong to pass laws banning disrespectful treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the “comprehensive sovereignty” of the Government of China over Hong Kong and indicated that Hong Kong must be governed by “patriots and patriots only”.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnap of police officers in Hong Kong, including businessman Xiao Jianhua and bookseller Gui Minhai.

(G) The Government of Hong Kong, acting with the consent of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesman for the Standing Committee of the National People’s Congress said, “Whether Hong Kong’s laws are consistent with the Basic Law can only be judged and decided by the National People’s Congress Standing Committee. No other authority has the right to make judgments and decisions.”

(10) Paragraph 3e of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the “current social and economic systems in Hong Kong will remain unchanged, as will human rights and fundamental freedom of speech."

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (10) of this section, including the following:

(A) In 2002, the Government of China pressed the United States Congress to introduce “patriotic” curriculum in primary and secondary schools.

(B) The governments of China and Hong Kong agreed to a daily quota of mainland immigrants to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to “mainlandize” Hong Kong.

(12) Paragraph 3e of the Joint Declaration states, as reinforced by Articles 4, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 39 of the Basic Law, that the “rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law” in Hong Kong. The governments of China and Hong Kong agreed to a daily quota of mainland immigrants to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to “mainlandize” Hong Kong.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (12) of this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong pressured businesses in Hong Kong not to advertise in newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists who organized protests including an organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(F) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists who organized protests including an organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(14) Articles 45 and 68 of the Basic Law assert that the selection of Chief Executive and all members of the Legislative Council of Hong Kong should be by “universal suffrage.”

(15) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (14) of this section, including the following:

(A) In 2004, the National People’s Congress created new, antidemocratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) The decision by the National People’s Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage would be implemented.

(C) The decision by the National People’s Congress on August 31, 2014, which placed
limits on the nomination process for the Chief Executive of Hong Kong as a condition for adoption of universal suffrage. (D) On November 7, 2016, the National People's Congress Standing Committee adopted the Article 11 of the Basic Law so that the United States, in consultation with the Secretary of State, in accordance with the Basic Law, as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701), the United States-Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76; 22 U.S.C. 5701), which establishes a multilateral sanctions regime with respect to foreign persons involved in the contravention of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76; 22 U.S.C. 5701 note), which includes—

(2) the Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Secretary determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) on the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(3) FORM OF REPORTS.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731). (4) MATERIAL CONTRIBUTIONS.—In this subsection, the term "material contribution" means a material contribution to, or attempts to materially contribute to, the failure of the Government of China to meet its obligations under the Joint Declaration and the Basic Law; the Secretary of the Treasury shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that contributed to such determination.

(5) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(6) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 1706(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; and

(B) is not likely to be repeated in the future; and

(C) has not been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 1706(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; (B) is not likely to be repeated in the future; and

(C) has not been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2), or the Treasury makes a determination under paragraph (3), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(4) UPDATE OF REPORTS.—(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be re-submitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) on the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(5) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(6) MATERIAL CONTRIBUTIONS.—In this subsection, the term "material contribution" means a material contribution to, or attempts to materially contribute to, the failure of the Government of China to meet its obligations under the Joint Declaration and the Basic Law; the Secretary of the Treasury shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that contributed to such determination.

(7) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(8) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 1706(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; and

(B) is not likely to be repeated in the future; and

(C) has not been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 1706(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; (B) is not likely to be repeated in the future; and

(C) has not been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2), or the Treasury makes a determination under paragraph (3), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(4) UPDATE OF REPORTS.—(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be re-submitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) on the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(5) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(6) MATERIAL CONTRIBUTIONS.—In this subsection, the term "material contribution" means a material contribution to, or attempts to materially contribute to, the failure of the Government of China to meet its obligations under the Joint Declaration and the Basic Law; the Secretary of the Treasury shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that contributed to such determination.

(7) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(8) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 1706(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; and

(B) is not likely to be repeated in the future; and

(C) has not been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 1706(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law; (B) is not likely to be repeated in the future; and

(C) has not been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.
under the Joint Declaration or the Basic Law if the person—

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 1706. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENT THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date on which a foreign person is included in the report under section 1706(a) or an update to that report under section 1706(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 1706(a) or an update to that report under section 1706(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(1) ACQUIRING, HOLDING, WITHHOLDING, USING, TRANSFERRING, WITHDRAWING, TRANSPORTING, OR EXPORTING ANY PROPERTY THAT IS SUBJECT TO THE JURISDICTION OF THE UNITED STATES AND WITH RESPECT TO WHICH THE FOREIGN PERSON HAS ANY INTEREST;

(2) DEALING IN OR EXERCISING ANY RIGHT, POWER, OR PRIVILEGE WITH RESPECT TO SUCH PROPERTY;

(3) CONDUCTING ANY TRANSACTION INVOLVING SUCH PROPERTY.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 1707. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONTRIBUTE TO SANCTIONS AGAINST FOREIGN PERSONS THAT CONTRAVENT THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW

(a) IMPOSITION OF SANCTIONS.—

(1) INITIAL SANCTIONS.—Not later than one year after the date on which a foreign financial institution is included in the report under section 1707(b) or an update to that report under section 1707(b), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) EXPANDED SANCTIONS.—Not later than two years after the date on which a foreign financial institution is included in the report under section 1707(b) or an update to that report under section 1707(b), the President shall impose each of the sanctions described in subsection (b).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government and any United States financial institution from making loans or providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or the Secretary of the Treasury may permit the designation of, the foreign financial institution as a primary dealer in United States Government debt instruments.

(3) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as a repository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers, or payments subject to the jurisdiction of the United States, involving the foreign financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign financial institution has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property;

(C) conducting any transaction involving such property.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of Commerce, may restrict or prohibit exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign financial institution, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(11) TERMINATION.—The President may impose sanctions required under subsection (a) with respect to a financial institution, subject to the report under section 1705(b) or an update to that report under section 1705(e) beginning on the day on which the financial institution is included in that report or update.
(1) RESOLUTIONS.—

(A) DISAPPROVAL RESOLUTION.—In this section, the term ‘‘disapproval resolution’’ means only a joint resolution of either House of Congress.

(i) the title of which is as follows: ‘‘A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person.’’; and

(ii) filed after the resolving clause of which is the following: ‘‘Congress disapproves of the action under section 1708 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person, on —

with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) TERMINATION RESOLUTION.—In this section, the term ‘‘termination resolution’’ means only a joint resolution of either House of Congress

(i) the title of which is as follows: ‘‘A joint resolution terminating sanctions with respect to foreign persons that contravene the obligations of China with respect to Hong Kong and foreign financial institutions that conduct significant transactions with those persons.’’; and

(ii) the sole matter after the resolving clause of which is the following: ‘‘The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall terminate on —

with the blank space being filled with the termination date.

(C) COVERED RESOLUTION.—In this subsection, the term ‘‘covered resolution’’ means a disapproval resolution or a termination resolution.

(2) INTRODUCTION.—A covered resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the minority leader’s designee) or the minority leader (or the minority leader’s designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives reports a covered resolution, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—A disapproval resolution introduced in the Senate shall be—

(i) referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations;

(ii) TERMINATION RESOLUTION.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If a committee to which a covered resolution was referred without a report within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding the provisions of standing rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations reports a covered resolution in the Senate, to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) shall be in order. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a covered resolution shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate on any veto message with respect to a covered resolution, including all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(F) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House already has passed a resolution relating to the same proposed action):—

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has discharged the resolution, that committee shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption.

(B) TREATMENT OF HOUSE RESOLUTION IN SENATE.—

(i) RECEIVED BEFORE PASSAGE OF SENATE RESOLUTION.—If, before the passage by the Senate of a covered resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(1) That resolution shall not be referred to a committee.

(2) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(ii) RECEIVED AFTER PASSAGE OF SENATE RESOLUTION.—If, following passage of a covered resolution in the House of Representatives, the Senate receives an identical resolution from the House of Representatives, that resolution shall be placed on the appropriate Senate calendar.

(iii) NO SENATE COMPANION.—If a covered resolution is received from the House of Representatives, and no companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1709. IMPLEMENTATION PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 206 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this title.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 1706 or 1707 or any regulation, license, or order issued to carry out that section or the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1706) to the extent the person commits an unlawful act described in subsection (a) of that section.

SEC. 1710. RULE OF CONSTRUCTION.

Nothing in this title shall be construed as an authorization of military force against China.

SA 1996. Mr. TOOMEY (for himself and Mr. Jones) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle A of title XII of division A, add the following:

SEC. 1287. BLOCKING DEADLY FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the ‘‘Blocking Deadly Fentanyl Imports Act’’.
(b) Definitions.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2), (A) in the matter preceding subparagraph (A), by striking “in which”; (B) in subparagraph (A), by inserting “in which” before “1,000”; and (C) in subparagraph (B)— (i) by inserting “in which” before “1,000”; and (ii) by striking “or” at the end; and (D) in subparagraph (C)— (i) by inserting “in which” before “5,000”; and (ii) by inserting “or” after the semicolon; and (E) by adding at the end the following: “(D) that is a significant source of illicit synthetic opioids significantly affecting the United States;”; and (2) in paragraph (4)— (A) in subparagraph (C), by striking “and” at the end; (B) in subparagraph (D), by adding “and” at the end; and (C) by adding at the end the following: “(E) ‘continuing effort’ means that the countries or regions identified pursuant to subparagraph (A), (B), (C), or (D) of paragraph (2), have not taken significant steps to prosecute individuals identified pursuant to subparagraph (A), (B), (C), or (D) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.”

(e) Compliance.—Section 706(5) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j–1(5)) is amended— (1) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j–1(a)) is amended by striking “in which” at the end; and (2) in paragraph (4), (A) redesignating subparagraph (C) as subparagraph (D) of paragraph (4); and (B) by inserting after subparagraph (B) the following: “(D) A description of whether each country identified pursuant to subparagraph (A), (B), (C), or (D) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.”

SEC. 114. REPORT ON CH-47F CHINOOK BLOCK II UPGRADE.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the CH-47F Chinook Block II Upgrade.

(1) An analysis of the warfighting capability currently delivered by the Block I and Block II configurations of H-47 Chinook helicopters.

(2) An analysis of the feasibility and advisability of delaying or terminating the CH-47F Chinook Block II Upgrade.

(3) A plan to ensure that warfighter capability is not negatively affected by the delay in delivery of the CH-47F Chinook Block II Upgrade.
or termination of the CH-47F Chinook Block-II upgrade.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1998. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection B of title I, add the following:

SEC. 114. SENSE OF CONGRESS ON LONG-TERM INVESTMENT AND SUSTAINMENT PLAN FOR A SECOND SOURCE FOR CANNON TUBE PROCUREMENT.

It is the sense of Congress that—

(1) there are concerns with the depth and ability of the cannon tube industrial base to meet the Army’s long-term demand;

(2) the current state of the supply chain risks insufficiently meeting the Army’s modernization priorities; and

(3) the Army should develop and implement a long-term investment and sustainment plan for a second-source for cannon tube procurement to mitigate risk to the Army and the industrial base.

SA 1999. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

Subtitle—INDUSTRIES OF THE FUTURE

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “Industries of the Future Act of 2021”.

SEC. 2. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FUNDED ACTIVITIES AND SUSTAINMENT STRATEGIES FOR A SECOND SOURCE FOR CANNON TUBE PROCUREMENT.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Federal Government that enable continued United States leadership in industries of the future.

(b) REPORT SUBMITTED UNDER SUBSECTION (a) SHALL INCLUDE THE FOLLOWING:

(1) A definition, for purposes of this Act, of the term “industries of the future” that includes emerging technology fields.

(2) An assessment of the current baseline of investments in civilian research and development investments of the Federal Government in the industries of the future.

(3) A plan to double such baseline investments in artificial intelligence and quantum information science by fiscal year 2022.

(4) A plan to leverage investments described in paragraphs (2) and (3) in industries of the future to elicit complementarity investments by non-Federal entities to the greatest extent practicable.

(5) Proposed legislation to implement such plans.

SEC. 3. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish or designate the Council to advise the Secretary of Defense on matters relevant to the Department and the industries of the future.

(2) DESIGNATION.—The council established or designated under paragraph (1) shall be known as the “Industries of the Future Coordination Council”.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of members of the Federal Government as follows:

(A) One member appointed by the Director.

(B) One member appointed by the Director.

(C) A chairperson of the Select Committee on Artificial Intelligence of the National Science and Technology Council.

(D) A co-chairperson of the Subcommittee on Advanced Manufacturing of the National Science and Technology Council.

(E) A chairperson of the Subcommittee on Quantum Information of the National Science and Technology Council.

(F) Such other members as the President considers appropriate.

(2) CHAIRPERSON.—The member appointed to the Council under paragraph (1)(A) shall serve as the chairperson of the Council.

(c) DUTIES.—The duties of the Council are as follows:

(1) To provide the Director with advice on ways in which the Federal Government can lead the way in investing in emerging technology fields that improve the quality of life of the people of the United States, to increase economic competitiveness of the United States, and to strengthen the national security of the United States, including identification of the following:—

(A) Investments required in fundamental research, and development, infrastructure, and workforce development of the United States.

(B) Actions necessary to create and further develop the workforce that will support the industries of the future.

(C) Actions required to leverage the strength of the industrial ecosystem of the United States, which includes academia, industry, and nonprofit organizations.

(D) Ways that the Federal Government can consider leveraging existing partnerships and creating new partnerships and other public-private collaborations to advance the industries of the future.

(2) To provide the Director with advice on matters relevant to the report required by section 2.

(d) COORDINATION.—The Council shall coordinate with and utilize relevant existing National Science and Technology Council committees to the maximum extent feasible in order to minimize duplication of effort.

(e) SUNSET.—The Council shall terminate on the date that is 6 years after the date of the enactment of this Act.

SA 2000. Mr. WICKER (for himself and Mrs. HYDE-SMITH) submitted an amendment intending to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

TITIE II. LEADERSHIP OVER NATIONAL EMERGENCIES

SEC. 201. DECLARATIONS OF NATIONAL EMERGENCIES.

“(a) AUTHORITY TO DECLARE NATIONAL EMERGENCIES.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such a national emergency by proclamation. Such proclamation shall be transmitted to Congress and published in the Federal Register.

“(b) SPECIFICATION OF PROVISIONS OF LAW TO BE EXERCISED.—No powers or authorities made available by statute for use during the period of a national emergency shall be exercised unless and until the President specifies the provisions of the law under which the President proposes that the President or other officials shall act in—

(1) a proclamation declaring a national emergency under subsection (a); or
(2) one or more Executive orders relating to the emergency published in the Federal Register and transmitted to Congress.

(c) PROHIBITION ON SUBSEQUENT ACTIONS IF EMERGENCY PROCLAIMED.—

(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency under subsection (a) (or an Executive order under subsection (b)) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same emergency.

(2) EFFECT OF ACTING ON EXPEDITIOUSLY.—If, after the date of the enactment of this Act, the President terminates the emergency or previous renewal of the emergency, that emergency or previous renewal shall terminate on the date that is one year after that date.

SEC. 202. EFFECTIVE PERIODS OF NATIONAL EMERGENCIES.

(a) TEMPORARY EFFECTIVE PERIODS.—

(1) IN GENERAL.—A declaration of a national emergency shall remain in effect for 30 days from the issuance of the proclamation or Executive order under section 201(a) (not counting the day on which the proclamation was issued) and shall terminate when that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation or Executive order that is the subject of the joint resolution.

(2) EXERCISE OF POWERS AND AUTHORITIES.—Any emergency power or authority made available under a provision of law specified pursuant to section 201(b) may be exercised pursuant to a declaration of a national emergency for 30 days from the issuance of the proclamation or Executive order (not counting the day on which the proclamation or Executive order was issued). That power or authority may not be exercised after that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation.

(b) EXERCISE OF POWERS AND AUTHORITIES.—Any emergency power or authority specified by the President in such proclamation or Executive order.

(c) TERMINATION OF NATIONAL EMERGENCIES.—

(1) IN GENERAL.—Any national emergency declared by the President under section 201(a) shall terminate on the earliest of—

(a) the date provided for in subsection (a);

(b) the date provided for in subsection (b);

(c) the date specified in an Act of Congress terminating the emergency; or

(d) the date specified in a proclamation terminating the emergency.

(2) EFFECT OF FUTURE LAWS.—No law enacted after the date of the enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

(a) JOINT RESOLUTION OF APPROVAL DEFINED.—In this section, the term 'joint resolution of approval' means a joint resolution that contains only the following provisions after its resolving clause:

(1) a provision approving—

(A) a proclamation of a national emergency made under section 201(a);

(B) an Executive order issued under section 201(b)(2); or

(C) an Executive order issued under section 201(b)(3).

(2) A provision approving a list of all or a portion of the provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

(b) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

(1) INTRODUCTION.—After the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 201(b), a joint resolution of approval may be introduced in either House of Congress by any member of that House.

(2) REQUESTS TO CONVENE CONGRESS DURING SESSIONS.—If, when the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2), or renewing a national emergency under section 201(b), Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days before the date of the adjournment or new session of the Senate and the Speaker of the House of Representatives, or their respective designees, acting jointly after consultation with and concurrence of the President or the minority leader of the Senate and the minority leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

(c) COMMITTEE REFERRAL.—A joint resolution of approval shall be referred in each House of Congress to the committee or committees having jurisdiction over the emergency or Executive order that is the subject of the joint resolution.

(d) CONSIDERATION IN SENATE.—In the Senate, following referral shall apply:

(1) A report and discharge.—If the committee to which a joint resolution of approval has been referred has not reported it to the Senate at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the calendar.

(2) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval is referred has reported the resolution, or when that committee is discharged under subparagraph (A), the joint resolution shall be placed on the calendar at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the calendar.

(3) Exceptions if Senate is unable to meet.—If Congress is physically unable to convene as a result of an armed attack upon the United States or another national emergency, the procedures described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

(4) RECONSIDER.—If Congress is unable to convene.—If Congress is physically unable to convene as a result of an armed attack upon the United States or another national emergency, the procedures described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

(5) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, if any committee to which a joint resolution of approval has been referred has not reported it to the House at the end of 10 calendar days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On Thursdays it shall be in order at any time for the Speaker or the Chairman of the Committee on the Budget to engage in debate or otherwise advance a joint resolution of approval that has appeared on the calendar for at least 3 calendar days to call up that joint resolution for immediate consideration in the House, and to consider it and any amendment in the House before the House acts on any point of order. When so called up a joint resolution shall be considered as read...
and shall be debatable for 1 hour equally di-
vided and controlled by the proponent and an
opponent, and the previous question shall be
called for as to its passage without interven-
tion of the question. It shall not be in order to
reconsider the vote on passage. If a vote on
final passage of the joint resolution has not
been taken on or before the close of the tenth
calendar day after the resolution is re-
ported by the committee or committees to
which it was referred, or after such com-
mittee or committees have been discharged
from further consideration of the resolution,
such vote shall be taken on that day.

"(6) RECEIPT OF RESOLUTION FROM OTHER
HOUSE.—If a joint resolution of approval is
received from the other House to the same
resolution of approval from the other House,
then—

"(A) the joint resolution of the other House
shall not be referred to a committee and
shall be deemed to have been discharged
from committee on the day it is received;
and

"(B) the procedures set forth in paragraphs
(3), (4), and (5), as applicable, shall apply in
the receiving House to the joint resolution
received to the same extent as such procedures apply to a joint
resolution of approval of the receiving House.

"(e) RULES OF THE HOUSE AND SENATE.—
The enactment of a joint resolution of approval under
this section shall not be interpreted to serve as a grant or modification by Congress of
statutory authority for the emergency pow-
ers of the President.

"(f) RULES OF THE HOUSE AND SENATE.—
Section 320301(d) of title 54, United States
Authority, shall continue to apply on and after such date of enactment.

"(b) NATIONAL EMERGENCY DESCRIBED.—
"(1) as an exercise of the rulemaking power
of the Senate and the House of Representa-
tives, respectively, and as such is deemed a part of this Act, but applicable only with respect to the pro-
cedure to be followed in the House in the
situation described in this section and
such other rules as to the extent that it is inconsistent with such other rules;
and

"(2) with full recognition of the constitu-
tional right of either House to change the
rules so far as relating to the procedure of
that House at any time, in the same man-
er, and to the same extent as in the case of any other House.

"SEC. 204. EXCLUSION OF CERTAIN NATIONAL
EMERGENCIES INVOKING INTER-
ATIONAL EMERGENCY ECONOMIC
POWERS ACT.

"(a) IN GENERAL.—In the case of a national
emergency described in subsection (b), the
provisions of this Act, as in effect on the
day before the date of the enactment of the
Assuring Robust, Thorou, and Informed
Congressional Leadership is Exercised
Under National Emergencies Act, shall continue
to apply on and after such date of enactment.

"(b) PROVISIONS OF LAW SPECIFIED.—The
provisions of law specified in this paragraph
are—

"(1) the United Nations Participation Act of
1945 (22 U.S.C. 287 et seq.);

"(2) section 212(f) of the Immigration and
Nationality Act (8 U.S.C. 1182(f)); and

"(c) any provision of law that authorizes
the implementation, imposition, or enforce-
ment of economic sanctions with respect to a
foreign country identified in paragraphs
(1) through (3) above.
June 25, 2020

CONGRESSIONAL RECORD — SENATE

S3473

SEC. 1. CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NORTH ATLANTIC TREATY ORGANIZATIONS COUNTRIES.

Section 8079 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “No citizen or lawful permanent resident of the United States”;

(ii) in the following:

(2) by striking “No citizen or lawful permanent resident of the United States, or any of its territorial possessions, or any other alien or alienage resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.”; and

4001(a)(2) of title 18, United States Code, as amended by paragraph (a), is further amended—

(3) by redesignating subsection (b) as subsection (c); and

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

“(b)(1) No United States citizen or lawful permanent resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.”.

(5) Section 8079(c) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, or after, the date of the enactment of the Due Process Guarantee Act.

(6) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

SEC. 2. SHORT TITLE.

This subtitle may be cited as the “Military Humanitarian Operations Act of 2020.”

SEC. 3. MILITARY HUMANITARIAN OPERATION DEFINED.

(a) In General.—In this subtitle, the term “military humanitarian operation” means a military operation conducted for the purpose of providing humanitarian assistance and protection, with the aim of preventing or responding to a humanitarian catastrophe, including its regional consequences, or addressing a threat posed to international peace and security. The term includes—

(1) operations undertaken pursuant to the principle of the “responsibility to protect” as referenced in United Nations Security Council Resolution 1674 (2006);

(2) operations specifically authorized by the United Nations Security Council, or other international organizations; and

(3) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(b) Operations Not Included.—The term “military humanitarian operation” does not mean a military operation undertaken for the following purposes:

(1) Responding to or repelling attacks, or preventing imminent attacks, on the United States or its citizens, nationals, or peoples; or on United States Armed Forces abroad where no civil unrest or other international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(2) Activities are reasonably anticipated and not more than 30 days.

(3) Actions to maintain maritime freedom and the right of passage through international water routes, and protection of maritime vessels.

(4) Actions to maintain maritime freedom, including actions aimed at combating piracy.

(5) Training exercises conducted by the United States Armed Forces abroad where not not primarily directed to positions in the competitive service.

(6) Briefing Required.—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter until the date that is 2 years after such date of enactment, the Secretary of State shall brief the

(1) the President submits to Congress a formal request for authorization to use members of the United States Armed Forces for the military humanitarian operation; and

(2) Congress enacts a specific authorization for such use of forces.

SEC. 4. SEVERABILITY.

If any provision of this subtitle is held to be unconstitutional, the remainder of the subtitle shall not be affected.

SEC. 5. IMPROVED COORDINATION OF UNITED STATES SANCTIONS POLICY.

(a) OFFICE OF SANCTIONS COORDINATION OF THE DEPARTMENT OF STATE.—

(1) IN GENERAL.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2851a) is amended—

(A) by redesignating subsection (g) as subsection (h); and

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

“(G) serve as the principal liaison of the Secretary regarding the development and implementation of sanctions policy; and

(H) serve as the principal liaison of the Department relating to the development and implementation of sanctions policy; and

(I) serve as the principal liaison of the Department relating to the development and implementation of sanctions policy; and

(J) serve as the principal liaison of the Department relating to the development and implementation of sanctions policy.”.

(2) HEAD.—The head of the Office shall—

(A) have the rank and status of ambassador;

(B) be appointed by the President, by and with the advice and consent of the Senate; and

(C) report directly to the Secretary.

(3) DUTIES.—The head of the Office shall—

(A) exercise sanctions authorities delegated to the Secretary; and

(B) serve as the principal advisor to the senior management of the Department and the Secretary regarding the development and implementation of sanctions policy; and

(C) represent the United States in diplomatic engagement on sanctions matters; and

(D) consult and closely coordinate with all Federal partners in the United States, including the United Kingdom, the European Union and member countries of the European Union, Canada, Australia, New Zealand, Japan, and South Korea, to ensure the maximum effectiveness of sanctions imposed by the United States and such allies and partners;

(E) serve as the coordinating director for the Department and the Secretary regarding the development and implementation of sanctions policy with respect to all activities, policies, and programs of all bureaus and offices of the Department related to the development and implementation of sanctions policy; and

(F) serve as the principal liaison of the Department to other Federal agencies involved in the development and implementation of sanctions policy; and

(G) serve as the principal liaison of the Department to other Federal agencies involved in the development and implementation of sanctions policy.”.

(3) DIRECT HIRE AUTHORITY.—The head of the Office may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, candidates directly to positions in the competitive service defined in section 2102 of this title, in the Office.

(2) The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country without the prior approval of a declaration of war, a specific authorization for the use of military force, declaration of war, or similar authority.

(3) No citizen or lawful permanent resident of the United States, or any other alien or alienage resident who is apprehended in the United States, may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.

(4) Section 8079(c) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, or after, the date of the enactment of the Due Process Guarantee Act.

(6) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

(7) The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country without the prior approval of a declaration of war, a specific authorization for the use of military force, declaration of war, or similar authority.

(8) Section 8079(c) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, or after, the date of the enactment of the Due Process Guarantee Act.

(9) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.
appropriate congressional committees on the efforts of the Department of State to establish the Office of Sanctions Coordination pursuant to section 1(g) of the State Department Basic Authorities Act of 1956, as amended by paragraph (1), including a description of— *(A) measures taken to implement the requirements of that section and to establish the Office; *(B) actions taken by the Office to carry out the duties listed in paragraph (3) of that section; *(C) the resources devoted to the Office, including the number of employees working in the Office; and *(D) plans for the use of the direct hire authority provided under paragraph (4) of that section.

(b) COORDINATION WITH ALLIES AND PARTNERS OF THE UNITED STATES.— *(1) IN GENERAL.—The Secretary of State shall develop and implement mechanisms and programs under paragraph (1), as appropriate, that involve the sharing of information with respect to policy development and sanctions implementation.

(2) CAPACITY BUILDING.—The Secretary should pursue efforts, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, to assist allies and partners of the United States, including the countries specified in paragraph (1), as appropriate, in the development of their legal and technical capacities to develop and implement sanctions authorities.

(3) EXCHANGE PROGRAMS.—In furtherance of the efforts in paragraph (2), the Secretary, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, may enter into agreements with counterpart agencies in foreign governments establishing exchange programs for the temporary detail of government employees to share information and expertise with respect to the development and implementation of sanctions authorities.

(4) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Department of State to implement this section, including a description of— *(A) measures taken to implement paragraph (1); *(B) actions taken pursuant to paragraphs (2) through (4); *(C) the extent of coordination between the United States and allies and partners of the United States, including the countries specified in paragraph (1), with respect to the development and implementation of sanctions policy; and *(D) obstacles preventing closer coordination between the United States and such allies and partners with respect to the development and implementation of sanctions policy.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that the President should appoint a coordinator for sanctions and national economic security issues within the framework of the National Security Council.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means— *(1) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and *(2) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

SA 2007. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 650, strike lines 7 through 13 and insert the following:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means— *(A) the Committee on Armed Services of the Senate; *(B) the Committee on Foreign Relations of the Senate; *(C) the Committee on Armed Services of the House of Representatives; and *(D) the Committee on Foreign Affairs of the House of Representatives.

On page 653, between lines 7 and 8, insert the following:

(D) SECRETARY OF STATE CONCURRENCE.— *(1) IN GENERAL.—The vetting procedures established pursuant to subparagraph (A) shall require the vetting to be conducted with the concurrence of the Secretary of State, in consultation with subsequent vetting for covered individuals who are being subjected to continuous review— *(I) to determine if their access should continue to be authorized; and *(II) to help inform whether visas should be revoked or the individuals should be removed.

(E) STATE DEPARTMENT PROGRAMS.—If a foreign military student will be present on a base or installation while participating in a program under the jurisdiction of the Department of State, the vetting and continuous review required under subparagraph (A) of covered individuals associated with such programs shall be conducted with the concurrence of the Secretary of State.

(III) CONTINUOUS REVIEW.—Continuous review under subparagraph (A)(ii) of all covered individuals initially admitted to, and present at, facilities described in clause (ii) for any programs under this section shall be conducted with the concurrence of the Secretary of State.

(iv) DEROGATORY INFORMATION.—The Secretary of State shall— *(I) review any derogatory information acquired after initial entry of covered individuals described in clause (iii) to assess whether such information constitutes a ground for visa revocation and removal; and *(II) after completing the review described in subclause (I), take immediate appropriate action if the Secretary determines that visa revocation and removal is warranted.

SA 2010. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:
SEC. 1257. DEFINITION OF CRITICAL TECHNOLOGIES FOR PURPOSES OF REVIEWS BY THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.


(1) by striking "technologies controlled," and inserting the following: "technologies—"

(1) to be proposed by not fewer than 2 members of the Committee as essential to the national security of the United States.

SA 2011. Mr. PAUL (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile B of title XII, add the following:

SEC. 1216. WITHDRAWAL OF UNITED STATES ARMED FORCES FROM AFGHANISTAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Joint Resolution to authorize the use of United States Armed Forces against those responsible for the attacks launched against the United States (Public Law 107–40) states, "That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001." (2) Since 2001, more than 3,002,635 men and women of the United States Armed Forces have deployed in support of the Global War on Terrorism, with more than 1,400,000 of them deploying more than once, and these Americans who volunteered in a time of war have served their country honorably and with distinction.

(3) In November 2009 there were fewer than 100 Al-Qaeda members remaining in Afghanistan.

(4) On May 2, 2011, Osama Bin Laden, the founder of Al-Qaeda, was killed by United States Armed Forces in Pakistan.

(5) United States Armed Forces have successfully routed Al-Qaeda from the battlefield in Afghanistan, thus fulfilling the original intent of Public Law 107–40 and the justification for the invasion of Afghanistan, but public support for United States continued presence in Afghanistan has waned in recent years.

(6) An October 2018 poll found that 57 percent of Americans, including 69 percent of United States veterans, believe that all United States troops should be removed from Afghanistan.

(7) In June 2018, the Department of Defense reported, "The Al-Qaeda threat to the United States and its allies and partners has decreased considerably since the remaining Al-Qaeda core members are focused on their own survival".

(b) PLAN REQUIRED.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense, or designee, in cooperation with the heads of all other relevant Federal agencies involved in the conflict in Afghanistan shall—

(1)(A) formulate a plan for the orderly drawdown and withdrawal of all soldiers, sailors, airmen, and Marines from Afghanistan who were involved in operations intended to provide security to the people of Afghanistan, including policing action, or military actions against military organizations inside Afghanistan, excluding members of the military assigned to support United States embassies or consulates, or intelligence operations authorized by Congress; and

(B) appear before the relevant congressional committees to explain the proposed implementation of the framework formulated under subparagraph (A); and

(2)(A) formulate a framework for political reconciliation and local democratic elections independent of United States involvement in Afghanistan, which may be used by the Government of Afghanistan to ensure that any political party that meets the requirements under Article 35 of the Constitution of Afghanistan is permitted to participate in general elections; and

(B) appear before the relevant congressional committees to explain the proposed implementation of the framework formulated under subparagraph (A).

(c) REMOVAL AND BONUSES.—Not later than 1 year after the date of the enactment of this Act—

(1) all United States Armed Forces in Afghanistan as of such date of enactment shall be withdrawn and removed from Afghanistan;

and

(2) the Secretary of Defense shall provide all members of the United States Armed Forces who were deployed in support of the Global War on Terror with a $2,500 bonus to recognize that these Americans have served in the Global War On Terrorism exclusively on a volunteer basis and to demonstrate the heartfelt gratitude of our Nation.

(d) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.—The Authorization for Use of Military Force (Public Law 107–40) is repealed effective on the earlier of—

(1) the date that is 90 days after the date of the enactment of this Act; or

(2) the date on which the Secretary of Defense certifies that all United States Armed Forces in operations in Afghanistan have ceased military activities.

SA 2012. Ms. MURkowski (for herself, Mr. Booker, Mr. Tillis, Mr. Jones, Ms. McSally, Mrs. Blackburn, Ms. Hyde-Smith, Mr. Risch, Mr. Crapo, Mr. Whitehouse, Mr. Coons, Mr. Portman, Mr. Cramer, Mr. Cardin, and Ms. Duckworth) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE — NUCLEAR ENERGY LEADERSHIP

SEC. 958A. ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.

(a) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term ‘advanced nuclear reactor’ means—

(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2(a)(1) and 50.2(g)(1) of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to the most recent generation of fission reactors, including improvements such as—

(i) increased safety features;

(ii) improved fuel performance;

(iii) increased tolerance to loss of fuel cooling;

(iv) enhanced reliability;

(v) improved proliferation resistance;

(vi) enhanced thermal efficiency;

(vii) reduced consumption of cooling water;

(viii) the ability to integrate into electric applications and non-electric applications;

(ix) modular sizes to allow for deployment that corresponds with the demand for electricity; or

(x) operational flexibility to respond to changes in demand for electricity and to complement integration with intermittent renewable energy sources.

(B) a fusion reactor.

(2) DEMONSTRATION PROJECT.—The term ‘demonstration project’ means an advanced nuclear reactor operational in any manner, including as part of the power generation facility of an electric utility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

(3) PURPOSE.—The purpose of this section is to direct the Secretary, as soon as practicable after the date of enactment of this section, to advance the research and development of domestic advanced, affordable, and clean nuclear energy by—

(A) demonstrating different advanced nuclear reactor technologies that could be used by the private sector to produce energy;

(B) supporting the private sector in the development of advanced nuclear energy systems and technologies;

(C) providing a stable and predictable environment for the development of advanced nuclear reactors that correspond with the demand for electricity in a manner that is consistent with the overall goals of the United States.

(4) IMPLEMENTATION.—The term ‘implementation’ means—

(A) a project that is funded by the Federal Government, and

(B) the results of research relating to civil nuclear technology funded by the Federal Government.

(C) DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall—

(A) enter into agreements to complete not fewer than 2 demonstration projects by not later than December 31, 2025; and

(B) establish a program to enter into agreements to complete 1 additional operational demonstration project by not later than December 31, 2035.

(2) REQUIREMENTS.—In carrying out demonstration projects under paragraph (1), the Secretary shall—

(A) include diversity in designs for the advanced nuclear reactors demonstrated under this section, including designs using various:—

(i) primary coolants;

(ii) fuel types and compositions; and
challenges to the successful demonstration of a selected advanced reactor technology, in accordance with—

(i) subparagraph (B); and

(ii) the research and development activities under sections 952 and 958;

(D) establish such technology advisory working groups as the Secretary determines to be appropriate to advise the Secretary regarding the technical challenges identified under subparagraph (B) and the scope of research and development programs to address the challenges identified, with subparagraph (C), to be comprised of—

(i) private-sector advanced nuclear reactor technology developers;

(ii) technical experts with respect to the relevant technologies at institutions of higher education; and

(iii) technical experts at the National Laboratories.

(4) GOALS.—

(1) IN GENERAL.—The Secretary shall establish goals for research relating to advanced nuclear reactors facilitated by the Department that support the objectives of the program for demonstration projects established under subsection (c).

(2) PROGRAM PLANNING.—In developing the goals under paragraph (1), the Secretary shall coordinate, on an ongoing basis, with members of private industry to advance the demonstration of various designs of advanced nuclear reactors.

(3) REQUIREMENTS.—In developing the goals under paragraph (1), the Secretary shall ensure that—

(A) research activities facilitated by the Department to meet the goals developed under this subsection are focused on key areas of nuclear breach and deployment, ranging from basic science to full-design development, safety evaluation, and licensing;

(B) research programs designed to meet the goals emphasize—

(i) resolving materials challenges relating to extreme environments, including extremely high levels of—

(I) radiation fluence;

(II) temperature; and

(III) pressure; and

(IV) corrosion; and

(2) potential end-users (such as electric utilities);

(v) potential end-users of new technologies, such as users of high-temperature process heat for manufacturing or industrial processing, such as a petrochemical company, a manufacturer of metals, or a manufacturer of concrete;

(vi) developers of advanced nuclear reactor technology; and

(G) seek to ensure that the demonstration projects facilitated under paragraph (1) do not cause any delay in the deployment of an advanced reactor by private industry and the Department that is underway as of the date of enactment of this section.

(3) ADDITIONAL REQUIREMENTS.—In carrying out demonstration projects under paragraph (1), the Secretary shall—

(A) identify candidate technologies that—

(i) are not developed sufficiently for demonstration within the initial required timeframe described in paragraph (1)(A); but

(ii) could be demonstrated within the timeframe described in paragraph (1)(B);

(B) identify technical challenges to the candidate technologies identified in subparagraph (A); and

(C) support near-term research and development to address the highest-risk technical

SEC. 959A. Advanced nuclear reactor research and development goals.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce, Science, and Technology of the House of Representatives a 10-year strategic plan for the Office of Nuclear Energy of the Department, in accordance with this section.

(2) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) (as amended by section 955(c)(1)) is amended—

(a) by inserting after the item relating to section 955(c)(1) the following:

Sec. 959A. Advanced nuclear reactor research and development goals.


(1) in the item relating to section 959A by striking “Advanced nuclear reactor research and development goals.”; and

(2) in subparagraph (A), by striking “Advanced nuclear reactor research and development goals.”; and

SEC. 93. VERISATILE, REACTOR-BASED FAST NEUTRON SOURCE.

Section 955(c)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16275(c)(1)) is amended—

(1) in the paragraph heading, by striking “Mission NEED” and inserting “AUTHORIZATION”; and

(2) in subparagraph (A), by striking “determine the mission need” and inserting “provide”.

SEC. 94. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by section 92(a)(1)) is amended by adding at the end the following:

Sec. 960. Advanced nuclear fuel security program.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (42 U.S.C. 16275(c)(1)) is amended—

(1) in the item relating to section 957, by striking “Mission NEED” and inserting “Authorization”; and

(2) in subparagraph (A), by striking “determine the mission need” and inserting “provide.”

SEC. 95. NEUTRON SOURCE.
"(2) HIGH-ASSAY, LOW-ENRICHED URANIUM.—The term ‘high-assay, low-enriched uranium’ means uranium with an assay greater than 5 weight percent, but less than 20 weight percent, of uranium-235 isotope.

"(3) HIGH-ENRICHED URANIUM.—The term ‘high-enriched uranium’ means uranium with an assay of 20 weight percent or more of uranium-235 isotope.

"(b) HIGH-ASSAY, LOW-ENRICHED URANIUM PROGRAM FOR ADVANCED REACTORS.—

"(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish a program to make available high-assay, low-enriched uranium, through contracts for sale, resale, transfer, or lease, for use in commercial or noncommercial nuclear reactors.

"(2) NUCLEAR FUEL OWNERSHIP.—Each lease under this subsection shall include a provision establishing that the high-assay, low-enriched uranium that is the subject of the lease shall remain the property of the Department, including with respect to responsibility for the storage, use, or final disposition of all radioactive waste created by the irradiation, processing, or purification of any leased high-assay, low-enriched uranium.

"(3) QUANTITY.—In carrying out the program under this subsection, the Secretary shall make available—

"(A) by December 31, 2022, high-assay, low-enriched uranium containing not less than 2 metric tons of the uranium-235 isotope; and

"(B) by December 31, 2025, high-assay, low-enriched uranium containing not less than 10 metric tons of the uranium-235 isotope (as determined including the quantities of the uranium-236 isotope made available before December 31, 2022).

"(4) FACTORS FOR CONSIDERATION.—In carrying out the program under this subsection, the Secretary shall take into consideration—

"(A) the capability of providing the high-assay, low-enriched uranium under this subsection from a stockpile of uranium owned by the Department (including the National Nuclear Security Administration), including—

"(i) fuel that—

"(I) directly meets the needs of an end-user; but

"(II) has not been previously used or fabricated for another purpose; and

"(ii) fuel that can meet the needs of an end-user after removing radioactive or other contaminants resulting from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department (including activities of the National Nuclear Security Administration); and

"(iii) fuel from a high-enriched uranium stockpile, which can be blended with lower-assay uranium to become high-assay, low-enriched uranium to meet the needs of an end-user; and

"(B) requirements to support molybdenum-99 production under the American Medical Isotopes Production Act of 2012 (Public Law 112-239; 126 Stat. 2211).

"(5) LIMITATIONS.—

"(A) DISPOSITION OF RADIOACTIVE WASTE.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to the final disposition of radioactive waste from uranium that is the subject of a lease under this subsection.

"(B) NATIONAL SECURITY NEEDS.—The Secretary shall make available free of charge from Department stockpiles under this subsection high-assay, low-enriched uranium that is not needed for national security.

"(C) USE OF FUNDS.—The funds made available under this subsection shall terminate on the earlier of—

"(A) January 1, 2035; and

"(B) the date on which uranium enriched to, but not equal to, 20 weight percent can be obtained in the commercial market from domestic suppliers.

"(b) REPORT.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall report to the appropriate committees of Congress a report that describes actions proposed to be carried out by the Secretary—

"(A) under the program under subsection (b); or

"(B) otherwise to enable the commercial use of high-assay, low-enriched uranium.

"(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report under this subsection, the Secretary shall seek input from—

"(A) the Nuclear Regulatory Commission;

"(B) the National Laboratories;

"(C) institutions of higher education;

"(D) producers of medical isotopes;

"(E) a diverse group of entities operating in the nuclear energy industry; and

"(F) a diverse group of technology developers.

"(3) COST AND SCHEDULE ESTIMATES.—The report under this subsection shall include estimated costs, budgets, and timeframes for establishing the use of high-assay, low-enriched uranium.

"(4) REQUIRED EVALUATIONS.—The report under this subsection shall evaluate—

"(A) the costs and actions required to establish and carry out the program under subsection (b), including with respect to—

"(i) proposed preliminary terms for the sale, resale, transfer, and leasing of high-assay, low-enriched uranium (including guidelines defining the roles and responsibilities between the Department and the purchasers, transferees, lessees); and

"(ii) the potential to coordinate with purchasers, transfer recipients, and lessees regarding—

"(I) fuel fabrication; and

"(II) fuel transport;

"(B) the potential sources and fuel forms available to provide uranium for the program under subsection (b); and

"(C) options to coordinate the program under subsection (b) with the operation of the versatile research reactor fast neutron source under agreement 9550c(1); and

"(D) the ability of the domestic uranium market to provide materials for advanced nuclear reactor fuel; and

"(E) any associated legal, regulatory, and policy issues that should be addressed to enable—

"(i) the program under subsection (b); and

"(ii) the establishment of a domestic industry capable of providing high-assay, low-enriched uranium for commercial and noncommercial purposes, including with respect to the needs of—

"(I) the Department;

"(II) the Department of Defense; and

"(III) the National Nuclear Security Administration.

"(g) HALEU TRANSPORTATION PACKAGE RESEARCH PROGRAM.—

"(1) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall establish a research, development, and demonstration program under which the Secretary shall provide financial assistance, on a competitive basis, to establish the capability to transport high-assay, low-enriched uranium.

"(2) REQUIREMENTS.—The focus of the program under this subsection shall be to establish 1 or more HALEU transportation packages that can be certified by the Nuclear Regulatory Commission for transport as high-assay, low-enriched uranium to the various facilities involved in producing or using nuclear fuel containing high-assay, low-enriched uranium, such as—

"(A) enrichment facilities;

"(B) fuel processing facilities;

"(C) fuel fabrication facilities; and

"(D) nuclear reactors.

"(b) CLEARING ADMISSION.—The table of contents of the Energy Policy Act of 2005 (Public Law 109-58; 119 Stat. 594; 42 U.S.C. 3160) (as amended by section 92(b)) is amended by inserting after the item relating to section 959B the following:

"Sec. 969. Advanced nuclear fuel security program.

SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

Section 313 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (42 U.S.C. 16274a) is amended to read as follows:

"SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) ADVANCED NUCLEAR REACTOR.—The term ‘advanced nuclear reactor’ means—

"(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to the most recent generation of fission reactors, including improvements such as—

"(i) additional inherent safety features;

"(ii) lower waste production;

"(iii) improved fuel performance;

"(iv) increased tolerance to loss of fuel cooling;

"(v) enhanced reliability;

"(vi) increased proliferation resistance;

"(vii) increased thermal efficiency;

"(viii) reduced consumption of cooling water;

"(ix) the ability to integrate into electric applications and nonelectric applications;

"(x) modular sizes to allow for deployment that corresponds with the demand for electricity; or

"(xi) operational flexibility to respond to changes in demand for electricity and to complement integration with intermittent renewable energy; and

"(B) a fusion reactor.

"(b) ESTABLISHMENT.—The Secretary of Energy, the Administrator of the National Nuclear Security Administration, and the Chairman of the Nuclear Regulatory Commission shall jointly establish a program, to be known as the ‘University Nuclear Leadership Program’.

"(c) USE OF FUNDS.—Except as provided in paragraph (2), amounts made available to carry out the Program shall be used to provide financial assistance for scholarships, fellowships, and research and development projects at institutions of higher education relevant to the programmatic mission of the applicable Federal agency, with (i) not less than 10% of such amounts to be used for research and development projects at institutions of higher education in areas relevant to the programmatic mission of the applicable Federal agency, with (ii) at least 10% of such amounts to be used for research and development projects at institutions of higher education in areas relevant to the programmatic mission of the applicable Federal agency, with (iii) no less than 10% of such amounts to be used for research and development projects at institutions of higher education in areas relevant to the programmatic mission of the applicable Federal agency.

"(2) EXCEPTION.—Notwithstanding paragraph (1), amounts made available to carry out the Program may be used to provide financial assistance for a scholarship, fellowship, or multiyear research and development..."
project that does not align directly with a programmatic mission of the applicable Federal agency providing the financial assistance, if the activity for which assistance is provided would facilitate the maintenance of the discipline of nuclear science or engineering.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the Program for fiscal year 2021 and each fiscal year thereafter—

"(1) $30,000,000 to the Secretary of Energy; and

"(2) $15,000,000 to the Nuclear Regulatory Commission.".

SEC. 06. ADJUSTING STRATEGIC PETROLEUM RESERVE MANIPULATED DRAWDOWNS.

(a) Bipartisan Budget Act of 2015.—Section 103(a) of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241 note; Public Law 114–74) is amended—

(1) by striking paragraph (6);

(2) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively; and

(3) in paragraph (7) (as so redesignated), by striking "10,000,000" and inserting "20,000,000.

(b) Fixing America’s Surface Transportation Act.—Section 403(a) of the Fixing America’s Surface Transportation Act (42 U.S.C. 6241 note; Public Law 114–94) is amended—

(1) in subparagraph (B), by striking "16,000,000" and inserting "11,000,000"; and

(2) by striking "2023" and inserting "2022"; and

(c) America’s Water Infrastructure Act of 2018.—Section 20003(a)(1) of Public Law 115–97 (33 U.S.C. 6241 note; Public Law 115–237) is amended—

(1) in subparagraph (B)—

(A) by striking "15,000,000" and inserting "10,000,000";

(B) by striking "7,500,000 barrels of crude oil during fiscal year, and for other purposes;

"(2) $15,000,000 to the Nuclear Regulatory Commission.

(d) Bipartisan Budget Act of 2018.—Section 32204(a)(1) of the Bipartisan Budget Act of 2018 (42 U.S.C. 6241 note; Public Law 115–97) is amended—

(1) by striking paragraph (6);

(2) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively; and

(3) in paragraph (7) (as so redesignated), by striking "10,000,000" and inserting "20,000,000.

SA 2013. Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 454, line 12, strike "Synthetic" and insert "Natural or synthetic".

SA 2014. Ms. MURKOWSKI (for herself, Mr. MANCHIN, Mr. RISCH, Ms. MCSALLY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle P of title XXXI, add the following:

SEC. 3164. MINERAL SECURITY.

(a) Definitions.—In this section:

(1) Byproduct.—The term "byproduct" means a critical mineral—

(A) the recovery of which depends on the production of a host mineral that is not designated as a critical mineral; and

(B) that exists in sufficient quantities to be recovered during processing or refining.

(2) Critical mineral.—

(A) In general.—The term "critical mineral" means any mineral, element, substance, or material designated as critical by the Secretary under subsection (c).

(B) Exclusions.—The term "critical mineral" does not include—

(i) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(ii) water, ice, or snow.

(C) Indian tribe.—The term "Indian tribe" means the term defined in section 4 of the Indian Self-Determination and Educational Assistance Act (25 U.S.C. 5304).

(D) Secretary.—The term "Secretary" means the Secretary of the Interior.

(3) State.—The term "State" means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

(b) Policy.—


(2) Availability of data.—If available data is insufficient to provide a quantitative basis for the methodology developed under this subsection, qualitative evidence may be used to the extent necessary.

(3) Final methodology and list.—After reviewing public comments on the draft methodology and the draft lists published under paragraph (1) and updating the methodology and lists as appropriate, not later than 45 days after the date on which the public comment period with respect to the draft methodology and draft lists closes, the Secretary shall publish in the Federal Register—

(A) a description of the final methodology for determining which minerals, elements, substances, and materials qualify as critical minerals;

(B) the final list of critical minerals; and

(C) the final list of critical minerals recovered as byproducts.

(d) Exclusions.—

(A) In general.—For purposes of carrying out this subsection, the Secretary shall maintain a list of minerals, elements, substances, and materials designated as critical, pursuant to the final methodology published under paragraph (3), that the Secretary determines—

(i) are essential to the economic or national security of the United States;

(ii) the supply chain of which is vulnerable to disruption (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, anti-competitive or protectionist behaviors, and other risks throughout the supply chain); and

(iii) serve an essential function in the manufacturing of a product (including energy technology-, defense-, currency-, agriculture-, consumer electronics-, and biotechnology-related applications), the absence of which would have significant consequences for the economic or national security of the United States.

(B) Inclusions.—Notwithstanding the criteria under paragraph (3), the Secretary may...

"(11) promote the efficient production, use, and recycling of critical minerals; and

"(12) develop alternatives to critical minerals; and

"establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.".

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designate and include on the list any mineral, element, substance, or material determined by another Federal agency to be strategic and critical to the defense or national security of the United States.

(C) REQUIRED CONSULTATION.—The Secretary consults with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative before reviewing the methodology and list under paragraph (3) and the designations under paragraph (4) at least every 3 years, or more frequently as the Secretary considers to be appropriate.

(B) REVISIONS.—Subject to paragraph (4)(A), the Secretary may—

(i) revise the methodology described in this subsection;

(ii) determine that minerals, elements, substances, and materials previously determined to be critical minerals are no longer critical minerals; and

(iii) designate additional minerals, elements, substances, or materials as critical minerals.

(6) NOTIFICATION.—On finalization of the methodology and the list under paragraph (3), or any revision to the methodology or list under paragraph (5), the Secretary shall submit to Congress written notice of the action.

(7) RESOURCE ASSESSMENT.—

(A) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, shall complete a comprehensive national assessment of each critical mineral that—

(i) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories;

(ii) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including rules of thumb and grade, using all available public and private information and datasets, including exploration histories.

(B) REVIEW.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, that considers the performance metric under paragraph (4), and annually thereafter, the Secretary shall submit to Congress a report that—

(i) identifies additional measures (including regulatory and legislative proposals, as applicable) that would improve the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(ii) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric under paragraph (4); and

(iii) identifies actions carried out pursuant to paragraph (2).

(8) ANNUAL REPORTS.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, that considers the performance metric required under paragraph (4), and annually thereafter, the Secretary shall submit to Congress a report that—

(A) summarizes the performance metrics and other statistical measures (or representations) calculated under paragraph (4); and

(B) describes progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.
(C) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry; 

(6) REPORTS.—Using data from the Secretaries generated under paragraph (5), the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code. 

(7) BUSINESS ADMINISTRATION.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies with respect to—

(A) complying with chapter 6 of title 5, United States Code (commonly known as the “Regulatory Flexibility Act”), in promulgating regulations applicable to the critical minerals industry; and 

(B) performing an analysis of regulations applicable to the critical minerals industry that are burdensome, insufficient, duplicative, or excessively burdensome. 

(8) FEDERAL REGISTER PROCESS.—

(1) VIEWS.—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each proposed Federal Register notice described in paragraph (2) shall be—

(A) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and 

(B) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice. 

(2) PREPARATION OF NOTICES.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(A) the documents or meetings are held; or 

(B) the activity is initiated. 

(9) TRANSMISSION.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(A) the documents or meetings are held; or 

(B) the activity is initiated. 

(10) ESTABLISHMENT.—The Secretary of Energy (referred to in this subsection as the “Secretary”) shall conduct a program of research and development—

(A) to promote the efficient production, use, recycling of critical minerals throughout the supply chain; and 

(B) to develop alternatives to critical minerals that do not occur in significant abundance in the United States. 

(11) COOPERATION.—In carrying out the program, the Secretary shall cooperate with appropriate—

(A) Federal agencies and National Laboratories; 

(B) critical mineral producers; 

(C) critical mineral processors; 

(D) critical mineral manufacturers; 

(E) trade associations; 

(F) academic institutions; 

(G) small businesses; and 

(H) other relevant entities or individuals. 

(12) ACTIVITIES.—Under the program, the Secretary shall carry out activities that include the identification and development of—

(A) advanced critical mineral extraction, production, separation, alloying, or processing technologies that decrease the energy consumption, environmental impact, and costs of those activities, including—

(i) efficient water and wastewater management strategies; 

(ii) technologies and management strategies to control the environmental impacts of radionuclides in ore tailings; 

(iii) technologies for separation and processing; and 

(iv) technologies for increasing the recovery rates of byproducts from host metal ores; 

(v) the activity is initiated. 

(B) technologies, process improvements, or design optimizations that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain; 

(C) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals, and options for improving the rates of collection of products and scrap containing critical minerals from post-consumer, industrial, or other waste streams; 

(D) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts; 

(E) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and 

(F) alternative materials, processes, or recycling and recovery technologies or alternative designs of existing energy technologies, particularly those that use minerals that—

(i) occur in abundance in the United States; and 

(ii) are not subject to potential supply restrictions. 

(13) REPORTS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report summarizing the activities, findings, and progress of the program. 

(14) ANALYSIS AND FORECASTING.—

(A) CAPABILITIES.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, in consultation with the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(A) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral domestically produced during the preceding year; 

(ii) the quantity of each critical mineral domestically consumed during the preceding year; 

(iii) price market data or other price data for each critical mineral; 

(iv) an assessment of—

(I) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States; 

(II) the reliance of the United States on foreign sources to meet those needs during the preceding year; and 

(III) the implications of any supply shortages, restrictions, or disruptions during the preceding year; 

(v) the quantity of each critical mineral domestically recycled during the preceding year; 

(2) the market penetration during the preceding year; 

(3) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and 

(4) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this subsection; 

(B) PROPRIETARY INFORMATION.—In preparing a report described in paragraph (1), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(f)), that—

(A) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information; 

(B) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and 

(C) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information. 

(15) EDUCATION AND WORKFORCE.—

(A) WORKFORCE ASSESSMENT.—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor
in consultation with the Secretary, the Director of the National Science Foundation, institutions of higher education with substantial expertise in mining, institutions of higher education with significant expertise in minerals research, including fundamental research into alternatives, and employers in the critical minerals sector) shall submit to Congress a description of the results of the study required under subparagraph (A).

(3) PROGRAM.—(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(i) startup costs for newly designated faculty positions in integrated critical mineral education and training programs;

(ii) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(iii) equipment necessary for integrated critical mineral education, training, and workforce development programs consistent with paragraph (2);

(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to military and defense industries;

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report—

(i) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, and fundamental research into alternatives, and recycling;

(ii) to address undergraduate and graduate education, especially to assist in the development of a level of understanding and advancement the capacity of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, and fundamental research into alternatives, and recycling;

(iii) to outline guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling;

(iv) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish, and carry out, the program described in paragraph (3).

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a description of the results of the study required under subparagraph (A).

(3) PROGRAM.—(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(i) startup costs for newly designated faculty positions in integrated critical mineral education and training programs consistent with paragraph (2);

(ii) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(iii) equipment necessary for integrated critical mineral education, training, and workforce development programs consistent with paragraph (2);

(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to military and defense industries;

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report—

(i) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, and fundamental research into alternatives, and recycling;

(ii) to address undergraduate and graduate education, especially to assist in the development of a level of understanding and advancement the capacity of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, and fundamental research into alternatives, and recycling;

(iii) to outline guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling;

(iv) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish, and carry out, the program described in paragraph (3).
Coronavirus, including with respect to medical treatments, personal protective equipment, diagnostic tests, therapeutics, vaccines, or any other medical countermeasure used in the mitigation of the 2019 Novel Coronavirus.

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

(b) UNCLASSIFIED REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress and make available to the public an unclassified report on theft of intellectual property conducted by Chinese persons.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An identification of any Chinese person that—

(i) has conducted theft of intellectual property from one or more United States entities;

(ii) is using or has used intellectual property stolen by a Chinese person in commercial activity in Australia, Canada, the European Union, Japan, New Zealand, South Korea, the United Kingdom, or the United States;

(B) A general description of the intellectual property involved;

(C) A listing of any Chinese person identified under subparagraph (A), an assessment of whether that person is using or has used the stolen intellectual property in commercial activity in Australia, Canada, the European Union, Japan, New Zealand, South Korea, the United Kingdom, or the United States;

(D) An assessment regarding whether any theft of intellectual property by a Chinese person described in the report is related to efforts to prevent, prepare for, or respond to the 2019 Novel Coronavirus, including with respect to medical treatments, personal protective equipment, diagnostic tests, therapeutics, vaccines, or any other medical countermeasure used in the mitigation of the 2019 Novel Coronavirus.

(c) DEFINITIONS.—In this section:

(1) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—The term "agency or instrumentality of the Government of the People's Republic of China" means any entity—

(A) that is a separate legal person, corporate or otherwise;

(B) that is an organ of the Government of the People's Republic of China or a political subdivision thereof, or a majority of whose shares of capital stock is owned by that government or a political subdivision thereof; and

(C) that is neither a citizen of the United States, nor created under the laws of any third country.

(2) CHINESE PERSON.—The term "Chinese person" means—

(A) an individual who is a citizen or national of the People's Republic of China;

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China; or

(C) the Government of the People's Republic of China or any agency or instrumentalities of the Government of the People's Republic of China.

(3) COMMERCIAL ACTIVITY.—The term "commercial activity" means either a regular course of commercial conduct or a particular commercial transaction or act. The commercial character of an activity shall be determined by reference to the nature of the course of conduct or the particular transaction or act, rather than by reference to its purpose.

(4) INTELLECTUAL PROPERTY.—The term "intellectual property" means—

(A) any work protected by a copyright under title 17, United States Code;

(B) any invention protected by a patent granted by the United States Patent and Trademark Office under title 35, United States Code;

(C) any name, symbol, or device, or any combination thereof, that is registered as a trademark with the United States Patent and Trademark Office under the Act entitled "The Trademark Act of 1946"; or

(D) any word, name, symbol, or device, or any combination thereof, that is recognized in international conventions, and for other purposes, with each report required by this section shall be submitted in unclassified form but may include a classified annex.

SA 2016. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SA 2017. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1287. MONITORING MINERAL INVESTMENTS UNDER BELT AND ROAD INITIATIVE OF PEOPLE'S REPUBLIC OF CHINA.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress an update to the October 2018 report of the Comptroller General entitled "Weapon Systems Cybersecurity: A proposed timeline for implementing the recommendations of the October 2018 report of the Comptroller General entitled "Weapon Systems Cybersecurity'',

(b) CONTENTS.—The update required by subsection (a) shall include the following:

(1) Recommendations to minimize cyber vulnerabilities in weapon systems.

(2) A proposed timeline for implementing such recommendations.

(c) FORM.—The update submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1064. REPORT ON THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to appropriate congressional committees a report on investments in minerals under the Belt and Road Initiative of the People's Republic of China that includes an assessment of—

(1) notable past mineral investments;

(2) whether and how such investments have increased the extent of control of minerals by the People's Republic of China;

(3) any efforts by the People's Republic of China to counter or interfere with the goals of the Energy Resource Governance Initiative of the Department of State; and

(4) the strategy of the People's Republic of China with respect to mineral investments.

(b) MONITORING MECHANISM.—In conjunction with each report required by subsection (a), the Director shall submit to the appropriate congressional committees a list of any minerals with respect to which—

(1) the People's Republic of China, directly or through the Belt and Road Initiative—

(A) is increasing its concentration of extraction and processing;

(B) is acquiring significant mining and processing facilities;

(C) is maintaining or increasing export restrictions;

(D) has achieved substantial control of the supply of minerals used within an industry or related minerals; or

(2) there is a significant difference between domestic prices in the People's Republic of China as compared to prices on international markets;

(3) there is a significant increase in volatility in price as a result of the Belt and Road Initiative of the People's Republic of China.

(c) ANNUAL UPDATES.—The Director shall update the report required by subsection (a) and list required by subsection (b) not less frequently than annually.

(d) FORM.—Each report or list required by this section shall be submitted in unclassified form but may include a classified annex.

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

(1) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Appropriations of the Senate; and

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

SA 2018. Mr. ROMNEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1287. MONITORING MINERAL INVESTMENTS UNDER BELT AND ROAD INITIATIVE OF PEOPLE'S REPUBLIC OF CHINA.
the congressional defense committees a report on the Chemical and Biological Defense Program of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the significance of the Chemical and Biological Defense Program within the 2018 National Defense Strategy.

(2) An assessment of the threats the Chemical and Biological Defense Program is designed to address.

(3) An assessment of the capacity of current Chemical and Biological Defense Program facilities to complete their missions if funding levels for the Program are reduced.

(4) An estimate of the length of time required to reconstitute the Chemical and Biological Defense Program to its current capacity if funding levels reduced for the Program as described in paragraph (3) are restored.

(5) An assessment of the threat posed to members of the Armed Forces as a result of a reduction in testing of year for field readiness by the Chemical and Biological Defense Program by reason of reduced funding levels for the Program.

(6) A description and assessment of the necessity of the Non-Traditional Agent Defense Testing under the Chemical and Biological Defense Program for Individual Protection Systems, Collective Protection Systems, field decontamination systems, and chemical agent detectors.

(c) FORM.—The report required by subsection (a) shall be submitted in classified form, if available for review by any Member of Congress, but shall include an unclassified summary.

SA 2019, Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 520. REPORTS ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.

(a) REPORT ON FINDINGS OF DEFENSE BOARD ON DIVERSITY AND INCLUSION IN THE MILITARY.—

(1) IN GENERAL.—Upon the completion by the Defense Board on Diversity and Inclusion in the Military of its report on actionable recommendations to increase racial diversity and ensure equal opportunity across all grades of the Armed Forces, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the report of the Defense Board, including the findings and recommendations of the Defense Board. The report required by paragraph (1) shall include the following:

A comprehensive description of the findings and recommendations of the Defense Board in its report referred to in paragraph (1).

B a comprehensive description of any actionable recommendations of the Defense Board in its report.

C a description of the actions proposed to be undertaken by the Secretary in connection with such recommendations, and a timeline for implementation of such actions.

D a description of the resources used by the Defense Board for its report, and a description and assessment of any shortfalls in such resources for purposes of the Defense Board.

(b) REPORT ON DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.—

(1) IN GENERAL.—At the same time the Secretary in connection with such recommendations, and a timeline for implementation of such actions.

C a description of the resources used by the Defense Board.

D a comprehensive description of the duties and scope of activities of the Advisory Committee.

E the reporting structure of the Advisory Committee.

F an estimate of the annual operating costs and staff years of the Advisory Committee.

G such recommendations for legislative or administrative action as the Secretary considers appropriate to extend the term of the Advisory Committee beyond the proposed termination date of the Advisory Committee.

(c) REPORT ON CURRENT DIVERSITY AND INCLUSION IN THE ARMED FORCES.—

(1) IN GENERAL.—At the same time the Secretary in connection with such recommendations, and a timeline for implementation of such actions.

C a description of the resources used by the Defense Board.

D a comprehensive description of the duties and scope of activities of the Advisory Committee.

E the reporting structure of the Advisory Committee.

F an estimate of the annual operating costs and staff years of the Advisory Committee.

G such recommendations for legislative or administrative action as the Secretary considers appropriate to extend the term of the Advisory Committee beyond the proposed termination date of the Advisory Committee.

(d) SENSE OF SENATE ON DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.—I t is the sense of the Senate that the Defense Advisory Committee on Diversity and Inclusion in the Armed Forces—

(1) should consist of diverse group of individuals, including—

A a general or flag officer from each regular component of the Armed Forces;

B a retired general or flag officer from not fewer than two of the Armed Forces;

C a regular officer of the Armed Forces in a grade E–7 or higher;

D a regularly enlisted member of the Armed Forces in a grade E–7 or higher;

E a regular enlisted member of the Armed Forces in a grade E–7 or higher;

F a member of the Armed Forces in any grade;

G a member of the Department of Defense civilian workforce;

H an academic that has expertise in diversity studies and:

I an individual with appropriate expertise in diversity and inclusion;

J should include individuals from a variety of military career paths, including—

K airmen;

L special operations;

M intelligence;

N cyber;

O space; and

P surface warfare;

Q should have a membership such that no fewer than 80 percent of members possess—

R a firm understanding of the role of mentorship and best practices in finding and utilizing mentors;

S experience and expertise in change of policies;

T experience and expertise in change of policies; and

U should focus on objectives that address—

V inclusion and equal opportunity across all grades of the Armed Forces; the percentage of minority populations in each career field in each Armed Force with the percentage of such populations among the general population; and the percentage of minority populations in each enlistment grade above grade E–6.

V a description and assessment of barriers to minority participation in the Armed Forces in connection with accession, assessment, and training.

W SENSE OF SENATE ON DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.—It is the sense of the Senate that the Defense Advisory Committee on Diversity and Inclusion in the Armed Forces—

(1) should consist of diverse group of individuals, including—

A a general or flag officer from each regular component of the Armed Forces;

B a retired general or flag officer from not fewer than two of the Armed Forces;

C a regular officer of the Armed Forces in grade O–5 or lower;

D a regularly enlisted member of the Armed Forces in grade E–6 or lower;

E a member of the Armed Forces in any grade;

F a member of the Armed Forces in any grade;

G a member of the Department of Defense civilian workforce;

H an academic that has expertise in diversity studies and:

I airmen;

J special operations;

K intelligence;

L cyber;

M space; and

N should have a membership such that no fewer than 80 percent of members possess—

O a firm understanding of the role of mentorship and best practices in finding and utilizing mentors;

P experience and expertise in change of policies; and

Q should focus on objectives that address—

R inclusion and equal opportunity across all grades of the Armed Forces; the percentage of minority populations in each career field in each Armed Force with the percentage of such populations among the general population; and the percentage of minority populations in each enlistment grade above grade E–6.
SA 2021. Mr. SULLIVAN (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strength for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 2022. Mr. SULLIVAN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strength for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 2023. Mr. SULLIVAN (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strength for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3024. AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT, OR LEASE, SHARED MEDICAL FACILITIES.

(a) In General.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1104 the following new section:

"1104a. Shared medical facilities with the Department of Veterans Affairs"

"(a) AGREEMENTS.—The Secretary of Defense and the Secretary of Veterans Affairs may enter into agreements with the Secretary of Energy, the Secretary of Commerce, or other Federal agencies for the planning, design, and construction, or leasing, of facilities to be operated as shared medical facilities.

"(b) AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT OR LEASE.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

"(A) Amounts, not in excess of the amount authorized by law for an unspecified minor military construction project, for the construction of a shared medical facility if the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount specified in section 1104a(a)(2) of title 38.

"(B) Amounts appropriated for the Defense Health Program for the purpose of the planning, design, and construction, or the leasing of space, for a shared medical facility if the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount specified in section 1104a(a)(2) of title 38.

"(2) The authority to transfer amounts under this section is in addition to any other authority to transfer amounts available to the Secretary of Defense.

"(C) TRANSFER OF AMOUNTS BY SECRETARY OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs may transfer to the Secretary of Defense amounts as follows:

"(1) Amounts appropriated to the Secretary of Veterans Affairs for 'Construction, major projects' for use for the planning, design, or construction of a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 1104(a)(3)(A) of title 38.

"(2) Amounts appropriated to the Secretary of Veterans Affairs for 'Construction, major projects' for use for the planning, design, or construction of a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 1104a(a)(3)(A) of title 38.

"(3) Amounts appropriated to the applicable appropriation account for the Department of Veterans Affairs for the purpose of leasing space for a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 1104a(a)(3)(A) of title 38.

"(4) RECEIPT OF AMOUNTS BY SECRETARY OF VETERANS AFFAIRS.—(1) Any amount transferred to the Secretary of Veterans Affairs for the purpose of leasing space for a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 1104(a)(3)(B) of title 38.

"(2) Any amount transferred to the Secretary of Veterans Affairs for the purpose of construction of a shared medical facility.

"(3) Any amount transferred to the Secretary of Veterans Affairs for the purpose of construction of a shared medical facility.
“(3) Using accounts credited with transfers from the Secretary of Veterans Affairs under paragraph (1), the Secretary of Defense may carry out unspecified minor military construction projects, if the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title.

“(e) RECEIPT OF AMOUNTS BY SECRETARY OF VETERANS AFFAIRS.—(1) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Veterans Affairs for the cost of such project does not exceed the amount specified in section 8104(a)(3)(A) of title 38, may be credited to the ‘Construction, minor projects’ account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility.

“(2) Any amount transferred to the Secretary of Veterans Affairs for the purpose of leasing space for a shared medical facility, if the amount of the share of the Department of Veterans Affairs available for such purposes, and may be used for payments to lessors.

“(f) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under this section shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(g) SHARED MEDICAL FACILITY DEFINED.—

“(1) In this section, the term ‘shared medical facility’ means a building or buildings, or a facility intended to be proposed by her to the Congress that each of the following conditions is met:

“(A) the appropriation or fund to which transferred to the Secretary of the Navy shall submit to the congressional defense committees a report

“(B) The Navy can mitigate the reduction in anti-air and ballistic missile defense capabilities due to a reduced number of DDG–51 Destroyers and supporting vendor base would not significantly deteriorate the health and efficiency of the industrial base and supporting vendor base constitute a national security imperative that is unique and must be protected;

“(C) the Secretary of State shall ensure the persistent diplomatic engagement of the countries party to such agreements;

“(D) The Gallup poll on Iraq was conducted in the United States.

“(E) The study required by paragraph (1) shall include an evaluation of any infrastructure investment necessary to support such increased rotational deployments.

“(f) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under this section shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(f) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under this section shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(2) Limitation.—

“(g) SHARED MEDICAL FACILITY DEFINED.—

“(1) In this section, the term ‘shared medical facility’ means a building or buildings, or a facility intended to be proposed by her to the Congress that each of the following conditions is met:

“(A) the appropriation or fund to which transferred to the Secretary of the Navy shall submit to the congressional defense committees a report

“(B) The Navy can mitigate the reduction in anti-air and ballistic missile defense capabilities due to a reduced number of DDG–51 Destroyers and supporting vendor base would not significantly deteriorate the health and efficiency of the industrial base and supporting vendor base constitute a national security imperative that is unique and must be protected;

“(C) the Secretary of State shall ensure the persistent diplomatic engagement of the countries party to such agreements;

“(D) The Gallup poll on Iraq was conducted in the United States.

“(f) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under this section shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

“(f) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under this section shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.
“(8) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will turn over the property to the Department of Defense;”.

(C) by striking subsections (d), (e), and (f); and

(D) by adding at the end the following:

“(d) LIMITATIONS ON TRANSFERS.—The Secretary of Defense may not transfer under this section any property as follows:

(1) Weapons, weapon parts, and weapon components, including camouflage and deception equipment, and optical sights.

(2) Weapon system specific vehicular accessories.

(3) Demolition materials.

(4) Explosive ordinance.

(5) Night vision equipment.

(6) Tactical clothing, including uniform clothing and footwear items, special purpose clothing items, and specialized flight clothing and accessories.

(7) Drones.

(8) Combat, assault, and tactical vehicles, including Mine-Resistant Ambush Protected (MRAP) vehicles.

(9) Training aids and devices.

(10) Firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, launchers, and bayonet launchers.

(e) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRED.—In the event the Secretary of Defense proposes to make available for transfer under this section any property of the Department of Defense not previously made available for transfer under this section, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

(A) A description of the property proposed to be made available for transfer.

(B) A description of the conditions, if any, to be imposed on use of the property after transfer.

(C) A certification that transfer of the property would not violate a provision of this section or any other provision of law.

(2) The Secretary may not transfer any property covered by a report under this subsection unless authorized by a law enacted by Congress within any 60-day period that begins on the date of the receipt of the report by Congress.

(f) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary of Defense shall certify to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred property under this section during the preceding fiscal year:

(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

(B) has complied with paragraphs (7) and (8) of subsection (b) with respect to the property so transferred during such fiscal year.

(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary determines that the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section as applicable.

(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, the awardee designated to procure or obtain property determined to be retained by the awardee pursuant to subsection (h) of this section is required to provide the appropriate committees of Congress a certification that for the preceding fiscal year that—

“(1) each recipient agency that has received property under this section has—

(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (g) of this subsection; or

(B) been suspended or terminated from the program pursuant to paragraph (4); and

(2) with respect to each non-Federal agency that has received property under this section during the preceding fiscal year that—

(A) the agency has complied with all requirements under this section; or

(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated; and

(C) the agency has not been suspended or terminated; and

(3) the property transferred under this section has been suspended or terminated; and

(D) by adding at the end the following:

“(1) The term ‘appropriate committees of Congress’ means—

(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) E FFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(b) RETURN OF PROPERTY TO DEPARTMENT OF DEFENSE.—Not later than one year after the date of the enactment of this Act, each Federal or State agency to which property was transferred by subsection (b) of title 10, United States Code (as added by subsection (a)(1) of this section), was transferred before the date of the enactment of this Act shall return such property to the Defense Logistics Agency on behalf of the Department of Defense.

SEC. 30. USE OF DEPARTMENT OF HOMELAND SECURITY PREPAREDNESS GRANT FUNDS.

(a) DEFINITIONS.—In this section

(1) the term “Agency” means the Federal Emergency Management Agency; and

(2) the term “preparedness grant program” includes—

(A) the Urban Area Security Initiative authorized under section 70107 of title 46, Homeland Security Act of 2002 (6 U.S.C. 604);

(b) the State Homeland Security Grant Program authorized under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 606); and

(c) the Port Security Grant Program authorized under section 70107 of title 46, United States Code; and

(3) the term “other non-disaster preparedness grant program of the Agency.”

(b) LIMITATION.—The Agency may not permit awards under a preparedness grant program to be used to procure or obtain property other than—

(1) explosive entry equipment;

(2) canines (other than bomb-sniffing canines for agencies with certified bomb technicians or for use in search and rescue operations);

(3) tactical or armored vehicles;

(4) long-range halting and warning devices; or

(5) any other non-disaster preparedness grant program of the Agency.

(c) REVIEW OF PRIOR RECEIPT OF PROPERTY BEFORE AWARD.—In making an award under a preparedness grant program, the Agency shall—

(1) determine whether the awardee has already received, and still retains, property from the Department of Defense pursuant to section 2376a of title 10, United States Code, including through review of the website maintained by the Defense Logistics Agency pursuant to subsection (b) of such section (as added by section _202(a)(1) of this Act); and

(2) require that the award may not be used by the awardee to procure or obtain property determined to be retained by the awardee pursuant to paragraph (1); and

(3) require that the award only be used to procure or obtain property in accordance with use restrictions contained within the Agency’s State and Local Preparedness Grant Programs’ Authorized Equipment List.

(d) Use of Grant Program Funds for Required Return of Property to DoD.—Notwithstanding any other provision of law, the use of funds by a State or local agency to return to the Department of Defense property transferred to such State or local agency pursuant to section 2676a of title 10, United States Code, as such return is required by section 262(b)(2) of this Act, shall be an allowable use of preparedness grant program funds by such agency.

(e) Accountability Measures.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit covering the period of fiscal year 2010 through the current fiscal year on the use of preparedness grant program funds. The audit shall assess how funds have been used to procure equipment, how the equipment has been used, and whether the grant awards have furthered the Agency’s goal of improving the preparedness of State and local communities.

(2) Annual Accounting of Use of Award Funds.—Not later than one year after the date of the enactment of this Act, the Agency shall implement a system of accounting on an annual basis how preparedness grant program funds have been used to procure equipment, how the equipment has been used, whether grantees have complied with restrictions on the use of equipment contained with the Authorized Equipment List, and whether the funds have been used to procure, maintain, alter, or operate—

(‘‘A’’ lethal weapons; or

‘‘B’’ less-lethal weapons.”

(b) Use of Grant Program Funds for Required Return of Property to DoD.—Notwithstanding any other provision of law, the use of funds by a State or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section 262(b)(2) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

(5) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of each specialized unit described under such subsection.

(2) A description of the training and weapons of each such unit.

(3) The criteria used for activating each such unit and how often each such unit was activated for each year of the previous ten years.

(4) An estimate of the annual cost of equipping and operating each such unit.

(5) Any other information that is relevant to understanding the usefulness and justification for the units.

SA 2026. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(a) REPORT REQUIRED.—No later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the progress of the Department of the Defense in—

(1) retiring legacy financial management systems; and

(2) obtaining or developing a fully-integrated, United States Standard General Ledger (USSGL)-compliant financial management system or systems.

(b) ELEMENTS.—The report required by subsection (a) shall include following:

(1) The name of each financial management system in use by the Department of Defense.

(2) The anticipated date of retirement for each such system planned to be retired.

(3) A summary of the retirement plan for any system that will be retired, including the manner in which data in such system will be transferred to other systems.

(4) In the case of a system that is not planned for retirement, a justification of the determination not to retire such system.

(5) The average aggregate amount spent by the Department on operating and maintaining legacy financial management systems during the five fiscal years ending with fiscal year 2020.

(b) Use of Grant Program Funds for Required Return of Property to DoD.—Notwithstanding any other provision of law, the use of funds by a State or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section 262(b)(2) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

SEC. 04. USE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS.—(a) LIMITATION.—Section 501(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10132(d)) is amended by adding at the end the following:

“(3) The purchase, maintenance, alteration, or operation of—

‘‘(A) lethal weapons; or

‘‘(B) less-lethal weapons.”

(b) Use of Grant Program Funds for Required Return of Property to DoD.—Notwithstanding any other provision of law, the use of funds by a State or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section 262(b)(2) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

SEC. 05. COMPTROLLER GENERAL REPORT.—(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report on Federal agencies, including office of Inspector General for Federal agencies, that have specialized units that receive special tactical or military-style training or use hard-plated body armor, shock-foam vest, or any other tactical equipment that results in decreased risk situations that fall outside the capabilities of regular law enforcement officers, including any special weapons and tactics (SWAT) teams, special events teams, special response teams, or active shooter teams.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) A description of each specialized unit described under such subsection.

(2) A description of the training and weapons of each such unit.

(3) The criteria used for activating each such unit and how often each such unit was activated for each year of the previous ten years.

(4) An estimate of the annual cost of equipping and operating each such unit.

(5) Any other information that is relevant to understanding the usefulness and justification for the units.

SEC. 9003. REPORT TO CONGRESS ON CERTAIN EFFORTS IN CONNECTION WITH THE FINANCIAL MANAGEMENT SYSTEMS OF THE DEPARTMENT OF DEFENSE.—(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the progress of the Department of the Defense in—

(1) retiring legacy financial management systems; and

(2) obtaining or developing a fully-integrated, United States Standard General Ledger (USSGL)-compliant financial management system or systems.

(b) ELEMENTS.—The report required by subsection (a) shall include following:

(1) The name of each financial management system in use by the Department of Defense.

(2) The anticipated date of retirement for each such system planned to be retired.

(3) A summary of the retirement plan for any system that will be retired, including the manner in which data in such system will be transferred to other systems.

(4) In the case of a system that is not planned for retirement, a justification of the determination not to retire such system.

(5) The average aggregate amount spent by the Department on operating and maintaining legacy financial management systems during the five fiscal years ending with fiscal year 2020.

(c) USE IN CONNECTION WITH FINANCIAL MANAGEMENT SYSTEMS.—Amounts described in subsection (a) shall be available for expenditure for the development of fully integrated financial management systems for the Department and the retirement of legacy financial management systems of the Department.

SA 2027. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection D of title X, add the following:

SEC. 0638. MINERAL SECURITY.—(a) DEFINITIONS.—In this section:

(1) BYPRODUCT.—The term ‘‘byproduct’’ means a critical mineral.

(2) CRITICAL MINERAL.—The term ‘‘critical mineral’’ means any mineral, element, substance, or material designated as critical by the Secretary under subsection (c).

(b) EXCLUSIONS.—The term ‘‘critical mineral’’ does not include—

(1) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(2) water, ice, or snow.

(c) REPORT.—The Secretary shall submit, and the Comptroller General of the United States shall audit, a report to Congress on the progress of the Department of Energy’s efforts to—

(1) improve energy security and reduce foreign dependency

(2) diversify the supply of critical minerals and reduce dependence on critical minerals from a single country or source

(3) improve the economic competitiveness of critical minerals-based industries

(4) reduce potential vulnerabilities related to critical minerals.

(d) USE OF FUNDS.—(1) In general.—Amounts described in subsection (a) shall be available—

(2) for the development of—

(3) the production of critical minerals.

(4) the production of byproducts of critical minerals.

(5) for international programs.

(6) for the development of—

(b) LIMITATION ON AMOUNT AVAILABLE FOR TRAVEL OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY PERSONNEL.—The total amount obligated or expended in fiscal year 2021 for travel of Department of Defense Education Activity (DoDEA) personnel may not exceed $9,000,000.

SA 2028. Mr. GRASSLEY (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title F of title XXXI, add the following:

SEC. 0638. MINERAL SECURITY.—(a) DEFINITIONS.—In this section:

(1) BYPRODUCT.—The term ‘‘byproduct’’ means a critical mineral.

(2) CRITICAL MINERAL.—The term ‘‘critical mineral’’ means any mineral, element, substance, or material designated as critical by the Secretary under subsection (c).

(b) EXCLUSIONS.—The term ‘‘critical mineral’’ does not include—

(1) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(2) water, ice, or snow.

(c) REPORT.—The Secretary shall submit, and the Comptroller General of the United States shall audit, a report to Congress on the progress of the Department of Energy’s efforts to—

(1) improve energy security and reduce foreign dependency

(2) diversify the supply of critical minerals and reduce dependence on critical minerals from a single country or source

(3) improve the economic competitiveness of critical minerals-based industries

(4) reduce potential vulnerabilities related to critical minerals.

(d) USE OF FUNDS.—(1) In general.—Amounts described in subsection (a) shall be available—

(2) for the development of—

(3) the production of critical minerals.

(4) the production of byproducts of critical minerals.

(5) for international programs.

(6) for the development of—

(b) LIMITATION ON AMOUNT AVAILABLE FOR TRAVEL OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY PERSONNEL.—The total amount obligated or expended in fiscal year 2021 for travel of Department of Defense Education Activity (DoDEA) personnel may not exceed $9,000,000.
(F) the Commonwealth of the Northern Mariana Islands; and
(G) the United States Virgin Islands.

(b) POLICY.—
(1) IN GENERAL.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—
(A) by striking paragraph (3) and inserting the following:

“(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;”

(B) in paragraph (6), by striking “and” after the semicolon at the end; and

(C) by striking paragraph (7) and inserting the following:

“(7) facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;”

“(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including the issuance of permits and authorizations necessary to explore for, conduct, and produce critical minerals and to construct critical mineral manufacturing facilities); and

“(9) strengthen the educational and research capabilities at not lower than the secondary school level;”

“(B) workforce training for exploration and development of critical minerals and critical mineral manufacturing;

“(10) bolster international cooperation through technology transfer, information sharing, and other means;

“(11) promote the efficient production, use, and recycling of critical minerals;

“(12) develop alternatives to critical minerals; and

“(13) establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.

(2) CONFORMING AMENDMENT.—Section 2(b) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended by striking “(a) As used in this Act, the term ” and inserting the following:

“(b) DEFINITIONS.—In this Act:

“(1) CRITICAL MINERAL.—The term ‘critical mineral’ means any mineral, element, substance, or material designated as critical by the Secretary under section 516(b)(4) of the National Defense Authorization Act for Fiscal Year 2021.

“(2) MATERIALS.—The term ‘critical mineral’ means any mineral, element, substance, or material designated as critical by the Secretary under section 516(b)(4) of the National Defense Authorization Act for Fiscal Year 2021.

“(3) CRITICAL MINERAL DESIGNATIONS.—The Secretary, acting through the Director of the United States Geological Survey (referred to in this subsection as the “Secretary”), shall publish in the Federal Register for public comment—

“(A) a description of the draft methodology used to identify a draft list of critical minerals;

“(B) a draft list of minerals, elements, substances, and materials that qualify as critical minerals; and

“(C) a draft list of critical minerals recovered as byproducts.

“(2) AVAILABILITY OF DATA.—If available data is insufficient to provide a quantitative basis for the methodology developed under this subsection, qualitative evidence may be used to the extent necessary.

(3) FINAL METHODOLOGY AND LIST.—After reviewing public comments on the draft methodology and the draft lists published under paragraph (1) and updating the methodology and lists, not later than 45 days after the date on which the public comment period with respect to the draft methodology and draft lists closes, the Secretary shall publish in the Federal Register—

“(A) a description of the final methodology for determining which minerals, elements, substances, and materials qualify as critical minerals;

“(B) the final list of critical minerals; and

“(C) the final list of critical minerals recovered as byproducts.

(4) DESIGNATIONS.—

“(A) IN GENERAL.—For purposes of carrying out this subsection, the Secretary shall maintain a list of minerals, elements, substances, and materials designated as critical, pursuant to the final methodology published under paragraph (3), that the Secretary determines—

“(1) are essential to the economic or national security of the United States;

“(2) are the supply chains of which is vulnerable to disruption (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, and interconnectedness of behaviors, and other risks throughout the supply chain); and

“(3) serve an essential function in the manufacturing of a product (including energy technology, defense-, currency-, agriculture-, consumer electronics-, and health care-related applications), the absence of which would have significant consequences for the economic or national security of the United States.

“(B) INCLUSIONS.—Notwithstanding the criteria under paragraph (3), the Secretary may designate and include on the list any mineral, element, substance, or material determined by another Federal agency to be strategic and critical to the defense or national security of the United States.

“(C) REQUIRED CONSULTATION.—The Secretary shall consult with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative in designating minerals, elements, substances, and materials as critical under this paragraph.

“(5) SUBSEQUENT REVIEW.—

“(A) IN GENERAL.—The Secretary, in consultation with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative, shall review the methodology and list under paragraph (3) and the designations under paragraph (4) at least every 3 years, or more frequently as the Secretary considers to be appropriate.

“(B) REVISIONS.—Subject to paragraph (4)(A), the Secretary may—

“(1) revise the methodology described in this subsection;

“(2) determine that minerals, elements, substances, and materials previously determined to be critical minerals are no longer critical minerals; and

“(3) designate additional minerals, elements, substances, or materials as critical minerals.

“(6) NOTICE.—On finalization of the methodology and the list under paragraph (3), or any revision to the methodology or list under paragraph (5), the Secretary shall submit to Congress written notice of the action.

“(d) RESOURCE ASSESSMENT.—

“(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, in consultation with the Governor of a State or the head of an Indian tribe, the Secretary, shall complete a comprehensive national assessment of each critical mineral resource assessments on non-Federal land.

“(2) CRITICAL MINERAL ASSESSMENTS.—The Secretary shall consult with the United States Geological Survey, academia, tribal government, industry, and other entities, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, shall complete a comprehensive national assessment of each critical mineral resource assessments on non-Federal land.

“(A) identifies and quantifies known critical mineral resources, using all available public and private information and data, including exploration history;

“(B) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and data, including exploration history.

“(c) U.S. TRADE POLICY.—In carrying out this subsection, the Secretary may carry out surveys and field work (including drilling, remote sensing, geophysical surveys, topographical and geological mapping, and geochemical sampling and analysis) to supplement existing information and datasets available for determining the existence of critical minerals in the United States.

“(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of geological surveys of the United States and the Secretary’s plans for completion of the United States Geological Survey (including geological surveys), local, academic, industry, and other entities, the Secretary
(B) that is determined by the Secretary, in coordination with the Secretary of Defense, to have significant strategic value to the United States for national security, defense, or advanced technology purposes.

(e) PERMITTING—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) critical minerals are fundamental to the economy, competitiveness, and security of the United States;

(B) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States; and

(C) the Federal permitting process has been identified as an impediment to mineral production and the mineral security of the United States.

(2) PERFORMANCE IMPROVEMENTS.—To improve the quality and timeliness of decisions, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) shall, to the maximum extent practicable, with respect to critical mineral production on Federal land, improve the Federal permitting and review processes with maximum efficiency and effectiveness, while supporting vital economic growth, by—

(A) establishing and adhering to timelines and schedules for the consideration of, and final decisions regarding, applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land;

(B) establishing clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals;

(C) engaging in early collaboration among agencies, project sponsors, and affected stakeholders;

(i) to incorporate and address the interests of those parties; and

(ii) to minimize delays;

(D) ensuring transparency and accountability by using cost-effective information technology to collect and disseminate information regarding individual projects and agency performance;

(E) engaging in early and active consultation with State, local, and Indian tribal governments to avoid conflicts or duplication of efforts; and

(F) providing demonstrable improvements in the performance of Federal permitting and review processes, including lower costs and more timely decisions;

(G) expanding and institutionalizing permitting and review process improvements that have been effective;

(H) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(I) developing other practices, such as preapproval procedures.

(3) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to Congress a report that—

(A) identifies additional measures (including regulatory or legislative proposals as appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(B) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land;

(C) quantifies the amount of time typically required (including range derived from minimum, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the Secretary, such as submittal of technical review, application, or decision, or State and local government involvement) associated with the development and processing of applications, permits, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric required under paragraph (4); and

(D) describes actions carried out pursuant to paragraph (2).

(4) PERFORMANCE METRIC.—Not later than 90 days after the date of submission of the report under paragraph (3), the Secretaries, after providing public notice and an opportunity to comment, shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(5) ANNUAL REPORTS.—Beginning with the first budget submission by the President under the Federal Register under section 1105 of title 31, United States Code, after publication of the performance metric required under paragraph (4), and annually thereafter, the Secretaries shall submit to Congress a report that—

(A) summarizes the implementation of recommendations, measures, and options identified in subparagraphs (A) and (B) of paragraph (3);

(B) using the performance metric under paragraph (4), describes progress made by the executive branch, as compared to the baseline established under paragraph (3)(C), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(C) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(6) INDIVIDUAL PROJECTS.—Using data from the Secretaries generated under paragraph (5), the Director of the Office of Management and Budget shall prioritize inclusion of individual projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(7) REPORT OF THE SECRETARY OF THE INTERIOR AND THE ADMINISTRATOR.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the Congress a report that assesses the performance of Federal agencies with respect to—

(A) complying with chapter 6 of title 5, United States Code (commonly known as the “Regulatory Flexibility Act”), in promulgating regulations applicable to the critical minerals industry; and

(B) performing an analysis of regulations applicable to the critical minerals industry that may be inefficient, duplicative, or excessively burdensome.

(8) FEDERAL REGISTER PROCESS.—

(1) DEPARTMENTAL REVIEW.—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each Federal Register notice described in paragraph (2) shall be—

(A) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and

(B) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice.

(2) PREPARATION.—The preparation of Federal Register notices required by paragraph (1) shall be completed in consultation with the Secretary of Defense and any other relevant entities or individuals.

(3) TRANSMISSION.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(A) the documents or meetings are held; or

(B) the activity is initiated.

(4) RECYCLING, EFFICIENCY, AND ALTERNATIVES.—

(1) ESTABLISHMENT.—The Secretary of Energy and the Secretary of Defense (referred to in this subsection as the “Secretaries”), shall conduct a program of research and development—

(A) to promote the efficient production, use, and recycling of critical minerals throughout the supply chain; and

(B) to develop alternatives to critical minerals that do not sacrifice significant abundance in the United States.

(2) COOPERATION.—In carrying out the program, the Secretaries shall cooperate with appropriate—

(A) Federal agencies and National Laboratories;

(B) critical mineral producers;

(C) critical mineral processors;

(D) critical mineral manufacturers;

(E) trade associations;

(F) academic institutions;

(G) small businesses; and

(H) other relevant entities or individuals.

(3) ACTIVITIES.—Under the program, the Secretaries shall carry out activities that include—

(A) advanced critical mineral extraction, production, separation, alloying, or processing technologies that decrease the energy consumption, environmental impact, and costs of those activities, including—

(i) efficient water and wastewater management strategies;

(ii) technologies and management strategies to control the environmental impacts of rare earth oxides in ores; and

(iii) technologies for separation and processing; and

(iv) technologies for increasing the recovery rates of byproducts from host metal ores;

(B) technologies or process improvements that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain;

(C) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals, and options for improved processing rates of products and scrap containing critical minerals from post-consumer, industrial, or other waste streams;

(D) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts;

(E) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and

(F) alternative energy technologies or alternative designs of existing energy technologies, particularly those that use mineral resources—

(i) in abundance in the United States; and
(ii) are not subject to potential supply restrictions.

(4) REPORTS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretaries shall submit to Congress a report summarizing the activities, findings, and progress of the program.

(b) REQUIREMENTS.

(1) CAPABILITIES.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary (acting through the Director of the United States Geological Survey) shall submit to the Secretary, in consultation with the Secretary of Defense, the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(A) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral domestically produced during the preceding year;

(ii) the quantity of each critical mineral domestically consumed during the preceding year;

(iii) market price data or other price data for each critical mineral;

(iv) an assessment of—

(I) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;

(II) the reliance of the United States on foreign sources to meet those needs during the preceding year; and

(III) the implications of any supply shortages, restrictions, or disruptions during the preceding year;

(iv) the quantity of each critical mineral domestically recycled during the preceding year;

(v) the market penetration during the preceding year of alternatives to each critical mineral;

(vi) a discussion of international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(vii) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1801 et seq.) is consistent with the National Science Foundation on conducting a study—

(i) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(ii) to address undergraduate and graduate education, especially in the development of graduate level programs of research and instruction that lead to advanced degrees with an emphasis on the critical mineral supply chain or other positions that will increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(iii) to develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling; and

(iv) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in paragraph (3).

(B) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a description of the results of the study required under subparagraph (A).

(3) PROGRAM.—

(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(i) startup costs for newly designated faculty positions in integrated critical mineral education, research, instruction, training, and workforce development programs;

(ii) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(iii) equipment necessary for integrated critical mineral education, research, instruction, training, and workforce development programs;

(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.

(B) RENEWAL.—A grant under this paragraph shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under paragraph (2)(A)(iv).

(j) NATIONAL GEOLOGICAL AND GEOPHYSICAL DATA PRESERVATION PROGRAM.—Section 351(k) of the Energy Policy Act of 2005 (42 U.S.C. 15906(a)(3)) is amended by striking "$9,000,000 for each of fiscal years 2006 through 2010" and inserting "$5,000,000 for each of fiscal years 2021 through 2030, to remain available until expended".

(k) ADMINISTRATION.—


(2) CONFORMING AMENDMENT.—Section 3(d) of the National Superconductivity and Magnetic Materials Act of 1987 (15 U.S.C. 5292(d)) is amended in the first sentence by striking "", with the assistance of the National Critical

(3) SAVING CLAUSES.—

(A) Federal nothing in this section or an amendment made by this section modifies any requirement or authority provided by—

(i) the matter under the heading “GEOLOGICAL SURVEY” of section 3 of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(ii) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(B) EFFECT ON DEPARTMENT OF DEFENSE.—Nothing in this section or an amendment made by this section affects the authority of the Secretary of Defense with respect to the work of the Office of Defense Geologic Materials in furtherance of the national defense mission of the Department of Defense.

(C) SECRETARIAL ORDER NOT AFFECTED.—This section shall not apply to any mineral described in Secretarial Order No. 3234, issued by the Secretary on December 3, 2012, in any area to which the order applies.

(4) APPLICATION OF CERTAIN PROVISIONS.—

(A) IN GENERAL.—Subsections (e) and (f) shall apply to—

(i) exploration project in which the presence of a byproduct is reasonably expected, based on known mineral companionality, geologic formation, mineral exploratory factors; and

(ii) a project that demonstrates that the byproduct is of sufficient grade that, when combined with the production of a host mineral, the byproduct is economic to recover, as determined by the applicable Secretary in accordance with subparagraph (B).

(B) REQUIREMENT.—In making the determination specified in subparagraph (A), the applicable Secretary shall consider the cost-effectiveness of the byproducts recovery.

(i) APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2030.

SEC. 1109. RARE EARTH ELEMENT ADVANCED COAL TECHNOLOGIES.

(a) PROGRAM FOR EXTRACTION AND RECOVERY OF RARE EARTH ELEMENTS AND MINERALS FROM COAL AND COAL BYPRODUCTS.—

(1) IN GENERAL.—The Secretary of Energy, acting through the Assistant Secretary for Fossil Energy (referred to in this section as the “Secretary”), shall carry out a program under which the Secretary shall develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the program described in paragraph (1) $225,000,000 for each of fiscal years 2021 through 2023.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report evaluating the development of advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, including acid mine drainage from coal mines.

SA 2030. Mr. CRAPO (for himself, Mrs. SHAFEEEN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

TITLE XVII—BRING OUR HEROES HOME

SEC. 1701. SHORT TITLE. This title may be cited as the “Bring Our Heroes Home Act.”

SEC. 1702. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) A vast number of records relating to Missing Armed Forces Personnel have not been identified, located, or transferred to the National Archives following review and declassification. Only in the rarest cases is there any legitimate need for continued protection of records pertaining to Missing Armed Forces Personnel who have been missing for decades.

(2) There has been insufficient priority placed on identifying, locating, reviewing, or declassifying records relating to Missing Armed Forces Personnel and then transferring the records to the National Archives for public access.

(3) Mandates for declassification set forth in multiple Executive orders have been broadly written, loosely interpreted, and often ignored by Federal agencies in possession of such records and records related to Missing Armed Forces Personnel.

(4) No individual or entity has been tasked with oversight of the identification, collection, review, and declassification of records related to Missing Armed Forces Personnel.

(5) The interest, desire, workforce, and funding of Federal agencies to assemble, review, and declassify records related to Missing Armed Forces Personnel have been lacking.

(6) All records of the Federal Government relating to Missing Armed Forces Personnel should be preserved for historical and governmental purposes and for public research.

(7) All records of the Federal Government relating to Missing Armed Forces Personnel should carry a presumption of declassification, and all such records should be disclosed under this title to enable the fullest possible accounting for Missing Armed Forces Personnel.

(b) AUTHORIZATION OF APPROPRIATIONS.—(1) The Secretary of Energy shall carry out this section $50,000,000 for each of fiscal years 2021 through 2030.

(2) The Secretary of Energy shall carry out the program described in paragraph (1) $23,000,000 for each of fiscal years 2021 through 2028.

(3) The Committee on Energy and Commerce of the House of Representatives a report on the implementation of this section.

SEC. 1703. REPORT.

The Secretary of Energy, acting through the Assistant Secretary for Fossil Energy, shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate at the end of each fiscal year that the Secretary has carried out the program described in section 1702 of this title.

SEC. 1704. ENACTMENT OF CERTAIN PROVISIONS.

(a) IN GENERAL.—Nothing in this section or any amendment made by this section affects the authority of the Secretary of Defense with respect to the work of the Office of Defense Geologic Materials in furtherance of the national defense mission of the Department of Defense.

(b) APPLICATION OF CERTAIN PROVISIONS.—(A) IN GENERAL.—Nothing in this section or any amendment made by this section modifies the authority of the Secretary of Defense with respect to the Work of the Office of Defense Geologic Materials in furtherance of the national defense mission of the Department of Defense.

(B) RENEWAL.—The authority of the Secretary of Defense with respect to the work of the Office of Defense Geologic Materials in furtherance of the national defense mission of the Department of Defense shall remain in effect until July 1, 2028.

(C) SECERETARIAL ORDER NOT AFFECTED.—Nothing in this section or any amendment made by this section modifies the authority of the Secretary of Defense with respect to the work of the Office of Defense Geologic Materials in furtherance of the national defense mission of the Department of Defense.

D. SECRETARIAL ORDER NOT AFFECTED.—This section shall not apply to any mineral described in Secretarial Order No. 3234, issued by the Secretary on December 3, 2012, in any area to which the order applies.

SEC. 1705. RENEWAL OF INTERNATIONAL AGREEMENTS.

(a) IN GENERAL.—The authority of the Secretary of Defense with respect to the work of the Office of Defense Geologic Materials in furtherance of the national defense mission of the Department of Defense shall remain in effect until July 1, 2028.

(b) AUTHORIZATION OF APPROPRIATIONS.—(1) The Secretary of Energy shall carry out the program described in paragraph (1) $23,000,000 for each of fiscal years 2021 through 2028.

(2) The Secretary of Energy shall carry out the program described in paragraph (1) $23,000,000 for each of fiscal years 2021 through 2028.

(c) EFFECT ON DEPARTMENT OF DEFENSE.—Nothing in this section or any amendment made by this section modifies any requirement or authority provided by—

(i) the matter under the heading “GEOLOGICAL SURVEY” of section 3 of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(ii) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(D) SECRETARIAL ORDER NOT AFFECTED.—This section shall not apply to any mineral described in Secretarial Order No. 3234, issued by the Secretary on December 3, 2012, in any area to which the order applies.
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CONGRESSIONAL RECORD — SENATE

June 25, 2020

(13) RECORD.—The term “record” has the meaning given the term “records” in section 3301 of title 44, United States Code.

(14) REVIEW BOARD.—The term “Review Board” means the board established by the Archivist under section 1707.

SEC. 1704. MISSING ARMED FORCES PERSONNEL RECORDS COLLECTION AT THE NATIONAL ARCHIVES.

(a) ESTABLISHMENT OF COLLECTION.—Not later than 10 days after the date of enactment of this Act, the Archivist shall—

(1) commence establishment of a collection of records to be known as the “Missing Armed Forces Personnel Records Collection”;

(2) commence preparing the subject guidebook and index to the Collection; and

(3) establish criteria for Executive agencies to follow when transmitting copies of Missing Armed Forces Personnel Records to the Archivist, to include required metadata.

(b) TRANSMISSION TO THE NATIONAL ARCHIVES.—Not later than 10 days after the date of enactment of this Act, each Government office shall—

(A) identify, locate, copy, and review each Missing Armed Forces Personnel record in the custody of the Archivist or control of the Government office for transmission to the Archivist and disclosure to the public; and

(B) transmit in writing to the Archivist, in carrying out paragraph (3),

(1) a justification for withholding the record, or portion of the record, on the grounds for postponement of disclosure, or reclassification of the record,

(2) a recommendation of the Archivist to the President to withhold or reclassify the record,

(3) an assertion that continued withholding or reclassification is necessary.

(3) NATIONAL ARCHIVES RECORDS.—Not later than 180 days after the date of enactment of this Act, the Archivist shall—

(A) locate and identify all Missing Armed Forces Personnel records in the custody of the National Archives as of the date of enactment of this Act; and

(B) promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

SEC. 1705. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES OF MISSING ARMED FORCES PERSONNEL RECORDS BY GOVERNMENT AGENCIES.

(a) IN GENERAL.—(1) PREPARATION.—As soon as practicable after the date of enactment of this Act, and sufficiently in advance of the deadlines established under this title, each Government office shall—

(A) identify and locate any Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(B) prepare for transmission to the Archivist in accordance with the criteria established by the Archivist a copy of any Missing Armed Forces Personnel records that have not previously been transmitted to the Archivist by the Government office.

(2) CERTIFICATION.—Each Government office shall submit to the Archivist, under penalty of perjury, a declaration indicating—

(A) whether the Government office has conducted a thorough search for all Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(B) whether a copy of any Missing Armed Forces Personnel record has not been transmitted to the Archivist.

(3) PRESERVATION.—No Missing Armed Forces Personnel record shall be destroyed, altered, or mutilated in any way.

(4) EFFECT OF PREVIOUS DISCLOSURE.—Information that was made available or disclosed to the public before the date of enactment of this Act in a Missing Armed Forces Personnel record may not be withheld, redacted, postponed for public disclosure, or reclassified.

(b) REVIEW.—No missing Armed Forces Personnel record that is transmitted to the Archivist which a Government office proposes to substantially redact or withhold in full from public access, the head of the Government office shall submit an unclassified and publicly releasable report to the Archivist, the Review Board, and each appropriate committee of Congress and the House of Representatives justifying the decision of the Government office to substantially redact or withhold the record by demonstrating that continued withholding or reclassification of the record would cause an articulated harm, and that the harm would be of such gravity as to outweigh the public interest in access to the information.

(c) DISCLOSURE.—(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, each Government office shall, in accordance with the criteria established by the Archivist and the rules promulgated under paragraph (2),

(A) identify, locate, copy, and review each Missing Armed Forces Personnel record in the custody of the Archivist or control of the Government office for transmission to the Archivist and disclosure to the public or, if needed, review the Review Board; and

(B) transmit in writing to the Archivist, in carrying out paragraph (3),

(1) a justification for withholding the record, or portion of the record, on the grounds for postponement of disclosure, or reclassification of the record,

(2) a recommendation of the Archivist to the President to withhold or reclassify the record,

(3) an assertion that continued withholding or reclassification is necessary.

(2) REQUIREMENT.—The Review Board shall promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

(3) NATIONAL ARCHIVES RECORDS.—Not later than 180 days after the date of enactment of this Act, the Archivist shall—

(A) locate and identify all Missing Armed Forces Personnel records in the custody of the National Archives as of the date of enactment of this Act; and

(B) promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

(4) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody of the National Archives on the date of enactment of this Act that has been made publicly available in its entirety without redaction shall be made available in the Collection without any additional review by the Archivist, the Review Board, or any other Government office under this title.

(5) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each Government office shall—

(1) not later than 1 year after the date of enactment of this Act, complete transmission to the Archivist of copies of the Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(2) not later than 1 year after the date of enactment of this Act, complete transmission of the Missing Armed Forces Personnel records in the possession or control of the Government office.

(d) PERIODIC REVIEW OF POSTPONED MISSING ARMED FORCES SERVICES PERSONNEL RECORDS.—(1) IN GENERAL.—All Missing Armed Forces Personnel records in the possession or control of an Archivist located and identified under paragraph (A) are reviewed periodically by the Archivist to determine whether continued postponement is necessary.

(2) REVIEW.—(A) IN GENERAL.—A periodic review of a Missing Armed Forces Personnel record or information within a Missing Armed Forces Personnel record that is in the possession or control of the originating body shall address the public disclosure of the Missing Armed Forces Personnel record under the standards under this title.

(B) CORRELATION.—If an originating body conducting a periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title, determines that continued postponement is required, the originating body shall provide to the Archivist an unclassified written description of the reason for the continued postponement that the Archivist highlights on a publicly accessible website administered by the National Archives.

(3) CHARTER.—The periodic review of postponement of Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, shall serve the purposes stated in section 1704(d), to provide expeditious public disclosure of Missing Armed Forces Personnel records, to the fullest extent possible, subject only to the grounds for postponement of disclosure under section 1706.

(e) DISCLOSURE ABSENT CERTIFICATION BY PRESIDENT.—(1) EFFECT OF PREVIOUS DISCLOSURE.—Infor-
(G) vulnerabilities or capabilities of sys-
tems, installations, infrastructures, projects, plans, or protection services relating to the national security; or

(2) the threat posed by the public disclo-
sure of the Missing Armed Forces Personnel record or information is of such gravity that it outweighs the public interest in disclo-
sure.

(b) OLDER RECORDS.—Disclosure to the pub-
lic of a Missing Armed Forces Personnel record or particular information in a Missing Armed Forces Personnel record created on or before the 25 years before the date of the review of the Missing Armed Forces Personnel record by the Archivist may be postponed subject to the limitations under this title only if, as demonstrated by clear and convincing evidence—

(1) the release of the information would be expected to—
(A) reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or inter-
national organization, a nonhuman intelli-
gence source, or impair the effectiveness of an intelligence method currently in use, available for use, or under development;
(B) reveal information that would impair United States cryptologic systems or activi-
ties;
(C) reveal formally named or numbered United States active plans or war plans that remain in effect, or reveal operational or tacti-
tical elements of prior plans that are con-
tained in such active plans; or
(D) reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongo-
ing diplomatic activities of the United States; and

(2) the threat posed by the public disclo-
sure of the Missing Armed Forces Personnel record or information is of such gravity that it outweighs the public interest in disclo-
sure.

(c) EXCEPTION.—Regardless of the age of a Missing Armed Forces Personnel record—the date on which a Missing Armed Forces Per-
sonnel record was created—disclosure to the public of any information in the Missing Armed Forces Personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by the Armed Forces to survive, evade, resist, or escape.

SEC. 1707. ESTABLISHMENT AND POWERS OF THE REVIEW BOARD.

(a) ESTABLISHMENT.—There is established an independent establishment in the execu-
tive branch a board to be known as the “Missing Armed Forces Personnel Records Review Board”.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall ap-
point, by and with the advice and consent of the Senate, 5 individuals to serve as a member of the Review Board to ensure and facili-
tate the independence of the Archi-
vist, and public disclosure of Missing Armed Forces Personnel records.

(2) QUALIFICATIONS.—The President shall ap-
point individuals to serve as members of the Review Board—

(A) without regard to political affiliation; and

(B) who are officers of the United States of integrity and impartiality;

(C) who are not an employee of an Execu-
tive agency on the date of the appointment;

(D) who are not an officer of a personal profes-
sional organization, or a nonhuman intel-
ligence source, or impair the effectiveness of
an intelligence method currently in use, available for use, or under development; or

(E) who are not an employee of the Executive branch a board to be known as the “Missing Armed Forces Personnel Records Review Board”.

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(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by the Armed Forces to survive, evade, resist, or escape.

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vist, and public disclosure of Missing Armed Forces Personnel records.

(c) EXCEPTION.—Regardless of the age of a Missing Armed Forces Personnel record—the date on which a Missing Armed Forces Personnel record was created—disclosure to the public of any information in the Missing Armed Forces Personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by the Armed Forces to survive, evade, resist, or escape.

SEC. 1707. ESTABLISHMENT AND POWERS OF THE REVIEW BOARD.

(a) ESTABLISHMENT.—There is established an independent establishment in the execu-
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(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall ap-
point, by and with the advice and consent of the Senate, 5 individuals to serve as a member of the Review Board to ensure and facili-
tate the independence of the Archi-
vist, and public disclosure of Missing Armed Forces Personnel records.

(c) EXCEPTION.—Regardless of the age of a Missing Armed Forces Personnel record—the date on which a Missing Armed Forces Personnel record was created—disclosure to the public of any information in the Missing Armed Forces Personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by the Armed Forces to survive, evade, resist, or escape.
(6) hold individuals in contempt for failure to comply with directives and mandates issued by the Review Board under this title, which shall not include the authority to imprison individuals.

(7) require any Government office to account in writing for the destruction of any records relating to the loss, fate, or status of Missing Armed Forces Personnel;

(8) receive information from the public regarding the identification and public disclosure of Missing Armed Forces Personnel records.

(9) make a final determination regarding whether a Missing Armed Forces Personnel record shall be disclosed to the public or disclosure of the Missing Armed Forces Personnel record to the public will be postponed, notwithstanding the determination of an Executive agency.

(k) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code.

(l) OVERSIGHT.—

(1) IN GENERAL.—The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives shall have—

(A) continuing oversight jurisdiction with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board;

(B) upon request, access to any records held or created by the Review Board.

(2) DUTY OF REVIEW BOARD.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction under paragraph (1).

(m) DETERMINATIVE REMOVAL PROCEDURE.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(n) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(o) TERMINATION AND WINDING UP.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Review Board shall, by majority vote, determine whether all Government offices have complied with the obligations, mandates, and directives under this title.

(2) TERMINATION DATE.—The Review Board shall have the final date that is 4 years after the date of enactment of this Act.

(3) REPORT.—Before the termination of the Review Board under paragraph (2), the Review Board shall submit to Congress a report, including a complete and accurate accounting of expenditures during its existence, and shall complete all other reporting requirements under this title.

(4) RECORDS.—Upon termination of the Review Board, the Review Board shall transfer all records of the Review Board to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. 1708. MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD PERSONNEL

(a) EXECUTIVE DIRECTOR.—

(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review Board, the Review Board shall appoint an individual to the position of Executive Director.

(2) QUALIFICATIONS.—The individual appointed as Executive Director of the Review Board shall—

(A) be a citizen of the United States of integrity and impartiality;

(B) be appointed without regard to political affiliation; and

(C) shall not have any conflict of interest with the mission of the Review Board.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as Executive Director until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROCEDURE.—The appropriate departments, agencies, and elements of the Federal Government shall cooperate to ensure that an application by an individual nominated to be Executive Director, seeking security clearances necessary to carry out the duties of the Executive Director, is expeditiously reviewed and granted or denied.

(4) DUTIES.—The Executive Director shall—

(A) serve as principal liaison to Government offices;

(B) be responsible for the administration and coordination of the review of records by the Review Board; and

(D) not have the authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure.

(b) STAFF.—

(1) IN GENERAL.—The Review Board may, in accordance with title 5, United States Code, appoint and terminate additional employee as are necessary to enable the Review Board and the Executive Director to perform their duties under this title.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board shall—

(A) meet the requirements of the position, is expeditiously reviewed and granted or denied.

(b) C COMPENSATION.—The Review Board shall establish compensation for Federal employees as are necessary to enable the Review Board to perform its duties under this title.

(c) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROCEDURE.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual who is a candidate for a position with the Review Board, seeking security clearances necessary to carry out the duties of the position, is expeditiously reviewed and granted or denied.

(d) COMPENSATION.—The Review Board shall fix the compensation of the Executive Director and other employees of the Review Board without regard to chapter 51 and subchapter III of chapter 55 of title 5, United States Code, regarding classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(e) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Review Board may create an advisory committee to assist in fulfilling the responsibilities of the Review Board under this title.

(2) APPLICABILITY OF FAC.—Any advisory committees created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(a) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are appointed, publish an initial schedule for review of all Missing Armed Forces Personnel records, which the Archivist shall highlight and make available on a publicly accessible website administered by the National Archives; and

(2) not later than 180 days after the date of enactment of this Act, begin reviewing of Missing Armed Forces Personnel records under this title.

(b) DETERMINATION OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the loss, fate, or status of Missing Armed Forces Personnel be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) the record is not a Missing Armed Forces Personnel record; or

(B) the Missing Armed Forces Personnel record, or particular information within the Missing Armed Forces Personnel record, qualifies for postponement of public disclosure under this title.

(c) POSTPONEMENT.—In approving postponement of public disclosure of a Missing Armed Forces Personnel record or information within a Missing Armed Forces Personnel record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of the Missing Armed Forces Personnel record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this title, which of the following alternative forms of sharing shall be made by the originating body:

(i) Any reasonably segregable particular information in a Missing Armed Forces Personnel record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a Missing Armed Forces Personnel record.

(d) REPORTING.—With respect to a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, that is postponed under this title, which is postponed under this title, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall submit and transmit an unclassified and publicly releasable report containing—

(A) a description of actions by the Review Board, the originating body, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board; and

(B) a statement, based on a review of the proceedings and in conformity with the decision expected therefrom, recommending specified time at which, or a specified occurrence following which, the material may be appropriately disclosed to the public.

(e) ACTION AFTER DETERMINATION.—

(A) IN GENERAL.—Not later than 14 days after the date of a determination by the Review Board that a Missing Armed Forces Personnel record shall be publicly disclosed in the Collection or postponed for disclosure...
and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination and highlight and make available the determination on a publicly accessible website reasonably calculated to make interested members of the public aware of the existence of the determination.

(2) NOTICE TO PUBLIC.—Simultaneously with notice under subparagraph (A), the Review Board shall provide notice of a determination concerning the public disclosure or postponement of disclosure of a Missing Armed Forces Personnel record, or information contained within a Missing Armed Forces Personnel record, which shall include a written explanation of the basis for public disclosure or postponement of disclosure, including an explanation of the application of any standards in section 1706 to the President, to the Committee on Homeland Security and Governmental Affairs of the Senate, and to the Committee on Oversight and Reform of the House of Representatives.

(3) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete its review of a record under this title, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1710. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—(1) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to loss, fate, or status of Missing Armed Forces Personnel that is held under seal of the court.

(b) GRAND JURY INFORMATION.—(A) TREATMENT.—A request for disclosure of materials under seal of court is subject to the same procedures, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(c) NOTICE TO PUBLIC.—Every 30 days, beginning on the date that is 60 days after the date on which the Review Board first approves the postponement of disclosure of a Missing Armed Forces Personnel record, the Review Board shall make available on a publicly accessible website reasonably calculated to make interested members of the public aware of the existence of the postponement a notice that summarizes the postponements approved by the Review Board, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(d) REPORTS BY THE REVIEW BOARD.—(1) IN GENERAL.—Not later than 1 year after the date on which the Review Board terminates the Review Board shall submit a report regarding the activities of the Review Board.

(A) the Committee on Oversight and Reform of the House of Representatives;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the President;

(D) the Archivist; and

(E) the head of any Government office the records of which have been the subject of Review Board activity.

(2) CONTENTS.—Each report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(C) The estimated time and volume of Missing Armed Forces Personnel records involved in the completion of the duties of the Review Board under this title.

(D) Whether the Review Board, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this title.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorizes under this title, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional authority needed.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (b)(4)(C).

(3) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete its review of a record under this title, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1711. RULING OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this title requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 610(b) of the Internal Revenue Code of 1986), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, which provides governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this title shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this title shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this title.

(d) EXISTING AUTHORITY.—Nothing in this title revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this title establishes a procedure to be followed in the House of Representatives, such provision is adopted—(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of either House.
Educational Transition for Servicemembers Act” or “IMPROVE Transition for Servicemembers Act.”

(b) APPROPRIATE COMMITTEES OF CONGRESS

(1) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 1702. RECODIFICATION, CONSOLIDATION, AND IMPROVEMENT OF CERTAIN TRANSITION-RELATED COUNSELING AND ASSISTANCE AUTHORITIES.

(a) RECODIFICATION, CONSOLIDATION, AND IMPROVEMENT OF AUTHORITIES

(1) Chapter 58 of title 10, United States Code, is amended by striking sections 1142 and 1144 and inserting after section 1141 the following new section 1142:

"§ 1142. Transition-related counseling and services; Transition Assistance Program

"(a) PROGRAM REQUIRED.—

"(1) IN GENERAL.—The Secretary of Defense and the Secretary of Homeland Security shall, in consultation with the Comptroller General of the United States, and the Secretaries of the Departments of Labor, Interior, Transportation, and the Secretary of Veterans Affairs, carry out a program to furnish counseling, information, and services to members of the armed forces, the spouses of such members.

"(2) RETIREMENT OR SEPARATION FOR DISABILITY.—Paragraph (1) shall not apply in the case of a member who is being retired or separated for disability.

"(3) DETERMINATION OF DURATION OF SERVICE.—For purposes of calculating the days of active duty of a member under paragraph (1), the Secretary concerned shall exclude any day as follows:

"(A) Any day on which the member performed full-time training duty or annual training with the member on active duty under a law or by the order of the President.

"(B) Any day on which the member attended, while in the active military service, a school designated as a service school by law or by the Secretary concerned.

"(C) Commencement and completion.—

"(i) COMMENCEMENT.—In the case of a member who is retiring from the armed forces, the furnishing of covered counseling, information, and services to such member under the program under this section shall commence as early as possible during the 12-month period preceding the anticipated retirement date.

"(ii) MEMBERS SEPARATED OR RELEASED.—In the case of a member who is being separated or released from the armed forces (other than by retirement), the furnishing of covered counseling, information, and services to such member under the program under this section shall commence not later than 365 days before the anticipated separation or release date.

"(D) DELAYED EDUCATIONAL AID.—Except as provided in paragraph (4), under no circumstances shall the furnishing of covered counseling, information, and services to a member under the program under this section commence later than 365 days before the date of retirement, separation, or release of the member from the armed forces.

"(E) MEMBERS SEPARATED OR RELEASED.—In the case of a member who is being separated or released from the armed forces (other than by retirement), the furnishing of covered counseling, information, and services to such member under the program shall commence not later than 120 days before the date of retirement.

"(F) Retired financial services.—In the case of a member who is retiring from the armed forces, the furnishing of covered counseling, information, and services to such member under the program shall commence not later than 365 days before the anticipated separation or release date.

"(2) WAIVER.—The Secretary of Defense may waive the requirement in paragraph (1) with respect to a particular member if such Secretary determines, using a system established by such Secretary for purposes of this paragraph, that the furnishing of covered counseling, information, and services on an online, other electronic, or other basis, rather than on an in-person basis, may waive the requirement in paragraph (1) with respect to a particular member.

"(3) Information on programs and benefits related to veteran status, including—

"(A) a description of the compensation and vocational rehabilitation benefits to which the member may be entitled under the Montgomery GI Bill and other educational assistance programs because of the member’s service in the armed forces;

"(B) a description of the compensation and vocational rehabilitation benefits to which the member may be entitled under laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member’s actual entitlement to such benefits and apply for such benefits;

"(C) information on home loan services and housing assistance benefits available under the laws administered by the Secretary of Veterans Affairs and on reasonably available information on other benefits to which the member is entitled under laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member’s actual entitlement to such benefits and apply for such benefits;

"(4) the anticipated retirement or separation or release date, or in the event the member a reserve component is being demobilized under circumstances in which (as determined by the Secretary concerned) general requirements make the 120-day or 90-day requirement under paragraph (2) unfeasible, preseparation counseling under the program shall begin as soon as possible within the remaining period of service.

"(c) TOPICS COVERED BY PROGRAM.—The preseparation counseling furnished a member under the program under this section shall include the following:

"(1) Financial planning assistance, including information on budgeting, saving, credit, loans, and taxes.

"(2) An explanation of the procedures for and advantages of affiliating with the Servicemembers' Group Insurance Act (MGIC) and the Servicemembers Group Health Insurance Program (SGHIC).

"(3) Information on programs and benefits related to veteran status, including—

"(A) a description of the compensation and vocational rehabilitation benefits to which the member may be entitled under laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member’s actual entitlement to such benefits and apply for such benefits;

"(B) information on home loan services and housing assistance benefits available under the laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member’s actual entitlement to such benefits and apply for such benefits;

"(C) a description of the compensation and vocational rehabilitation benefits to which the member may be entitled under laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member’s actual entitlement to such benefits and apply for such benefits;

"(D) information on home loan services and housing assistance benefits available under the laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member’s actual entitlement to such benefits and apply for such benefits;

"(E) a description, developed in consultation with the Secretary of Veterans Affairs, of the assistance and support services for the reserve component members of the armed forces under the program conducted by the Secretary of Veterans Affairs pursuant to section 1720G of title 38, including the veterans covered by this program, the caregivers eligible for assistance and support through the program, and the assistance and support available through the program; and

"(F) information on appropriate training, on eligibility for enrollment and disenrollment in the Survivor Benefit Plan under chapter 73 of this title and other survivor benefits administered by the Secretary of Defense or the Secretary of Veterans Affairs.
“(4) Information on civilian employment, occupational requirements, and related assistance, including—

(A) labor market information;

(B) post-service education and training;

(C) job analysis techniques, job search techniques, job interview techniques, and salary negotiation techniques;

(D) counseling and licensure requirements that are applicable to civilian occupations, including State-submitted and approved lists of military training and skills that satisfy occupational certifications and licenses;

(E) civilian occupations that correspond to military occupational specialties;

(F) information on the requirements under section 114(a) of this title for the Department of Defense and the Department of Homeland Security to provide proper certification or verification of job skills and experience acquired while on active duty that may have application to employment in the civilian sector for use in seeking civilian employment and in obtaining job search skills;

(G) information on government and private-sector programs for job search and job placement assistance, and information on the placement programs established under sections 1152 and 1153 of this title and the Troops-to-Teachers Program;

(H) written directions for veterans in the receipt of employment, training, and placement services provided under qualified job training programs of the Department of Labor;

(I) veterans small business ownership and entrepreneurship programs of the Small Business Administration and assistance to members in their efforts to obtain loans and grants from the Small Business Administration and other Federal, State, and local agencies;

(J) employment and reemployment rights and obligations under chapter 43 of title 38;

(K) veterans preference in Federal employment and Federal procurement opportunities;

(L) disability-related employment and education protections; and

(M) career and employment opportunities available to members with transportation security cards issued under section 70905 of title 46.

(5) Information related to transition and relocation, including—

(A) information on the geographic areas in which employers will relocate, job separation from the armed forces, and the cost and availability of housing, child care, education, and medical and dental care;

(B) the availability of programs, and programs of military and veterans’ service organizations, that may be of assistance to such members after separation from the armed forces;

(C) counseling (for the member and dependents) on the effect of career change on individuals and their families and the availability to the member and dependents of suicide prevention resources following separation from the armed forces;

(D) the availability of mental health services and the treatment of post-traumatic stress disorder, anxiety disorders, depression, suicidal ideations, or other mental health conditions associated with service in the armed forces and information concerning the availability of treatment options and resources to address substance abuse, including alcohol, prescription drug, and opioid abuse;

(E) the availability of medical and dental coverage following separation from active duty, including the opportunity to elect into the conversion health policy provided under section 1145 of this title; and

(F) information on the required deduction, pursuant to subsection (b) of section 1175a of this title, from disability compensation paid by the Secretary of Veterans Affairs of amounts equal to any voluntary separation pay received by the member under such section.

(g) COUNSELING PATHWAYS.—Each Secretary concerned shall, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, establish at least three pathways for members of the armed forces under section 114(a) of this title concerned to receive individualized counseling under this section. The pathways shall address the needs of members based on the following factors:

(1) Rank.

(2) Term of service.

(3) Gender.

(4) Whether the member is a member of a regular or reserve component of an armed force.

(5) Disability.

(6) Anticipated characterization of retirement, separation, or release from the armed forces (including expedited discharge and discharge under conditions other than honorable).

(7) Health (including mental health).

(8) Military occupational specialty.

(9) Whether the member intends, after retirement, separation, or release, to—

(A) seek employment;

(B) enroll in a program of higher education;

(C) enroll in a program of vocational training; or

(D) become an entrepreneur.

(10) The educational history of the member.

(11) The employment history of the member.

(12) Whether the member has secured—

(A) employment;

(B) enrollment in a program of education; or

(C) enrollment in a program of vocational training.

(13) Whether the member has a spouse or any dependents.

(14) Such other factors the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with the Secretary of Homeland Security, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, consider appropriate.

(h) C OUNSELING PATHWAYS.—Each Secretary concerned (in consultation with the Secretary of Labor and the Secretary of Veterans Affairs) provides contact information to a member under section 114(a) of this title to the organizations, entities, and resources described in subparagraph (A)(ii).

(i) To have the Secretary of Defense and the Secretary of Veterans Affairs transmit information on the member from the Department of Defense Form DD-2648 to State veterans agencies for transmission to community-based organizations and related entities that provide or connect veterans to benefits and services in accordance with section 3 of the Improving Post-Service Transition Assistance Act of 2018 (20 U.S.C. 1702).

(2) GENERAL INSTRUCTION.—A course of general instruction, of at least one day, on such topics as the member considers appropriate.

(3) INSTRUCTION ON SPECIFIC POST-SERVICE PATHWAYS.—A course of instruction, of not less than one day, on such topics as the member considers appropriate.

(4) INSTRUCTION ON PRE-SEPARATION PATHWAYS.—A course of instruction, of not less than one day, on such topics as the member considers appropriate.

(5) INSTRUCTION ON VETERANS BENEFITS.—A course of instruction, of not less than one day, on such topics as the member considers appropriate.

(6) PARTICIPATION IN APPRENTICESHIP PROGRAMS.—For a member otherwise eligible to participate in such a program, participation in an apprenticeship program registered under the Act of August 8, 1924, as amended (commonly known as the ‘National Apprenticeship Act’; 41 U.S.C. 8301 et seq.), or a pre-apprenticeship program that provides credit toward a program registered...
under such Act, that provides education, training, and services necessary to transition to meaningful employment that leads to economic self-sufficiency.

"(7) USE OF COVERED COUNSELING AND INSTRUCTION.—A member shall receive the counseling and instruction required by paragraphs (2) and (3) before any other instruction or training required by this subsection. The member may undertake any other instruction required by this subsection at a pace and order satisfactory to the member, subject to the requirement to complete all such instruction by the deadline provided in subsection (d)(2).

"(8) FREQUENCY OF TRAINING.—The Secretary concerned shall ensure, to the extent practicable subject to urgent mission needs, that members who elect to undergo additional training or counseling under this subsection on any subject—

"(A) before the time periods established under subsection (d); and

"(B) in addition to such training and instruction required during such time periods.

"(1) RECORD OF RECEIPT OF COVERED COUNSELING, INFORMATION, AND SERVICES IN SERVICE RECORDS.—A notation on the receipt of covered counseling, information, and services under the program or subsection shall be placed in the service record of each member receiving such counseling and instruction.

"(2) USE OF PERSONNEL AND ORGANIZATIONS.—In carrying out the program under this section, the administering Secretaries may—

"(1) provide for the use of disabled veterans outreach program specialists, local veterans’ employment representatives, and other employment representatives funded by the Department of Labor to the extent that the Secretary of Labor determines that such use will not significantly interfere with the provision of services or other benefits to eligible veterans and other eligible recipients of such services or benefits;

"(2) use military and civilian personnel of the Department of Defense and the Department of Homeland Security;

"(3) use personnel of the Veterans Benefits Administration of the Department of Veterans Affairs to provide counseling under and otherwise administer the program as the administering Secretaries consider appropriate; and

"(4) such other information as is required to provide Congress with a comprehensive description of the participation of members in the program.

"(7) Joint service transcript of a member of the armed forces to the following:

"(1) The member;

"(2) at the preliminary meeting with a counselor under the program to subsection (e)(2) is made available by electronic means to the member;

"(A) Commanders at all levels of command at the installations concerned.

"(B) All counselors and managers of counseling under the program.

"(C) The Secretary of Labor, the Secretary of Veterans Affairs, and the heads of any other departments and agencies of the Federal Government involved in the furnishing of covered counseling and other assistance under the program.

"(D) ANNUAL REPORT TO CONGRESS.—

"(A) IN GENERAL.—The Secretary of Defense and the Secretary of Homeland Security shall each submit to Congress each year a report on the furnishing of covered counseling, information, and services under the program to members of the armed forces under the jurisdiction of such Secretary during the preceding year. Each report shall include, for the year covered by such report, the following:

"(i) The number of members eligible for covered counseling, information, and services under the program.

"(ii) The number of members furnished covered counseling, information, and services under subsections (f) and (h) in connection with the furnishing of covered counseling, information, and services under the program to members of the armed forces under the jurisdiction of such Secretary during the preceding year.

"(iii) An assessment of the extent to which such counseling, information, and services were furnished within the times provided for by paragraphs (b)(1) and (b)(2).

"(iv) Rates of participation in an in-person basis and an online or other electronic basis, and number of waivers (if any) issued pursuant to subsection (h).

"(v) The number of members placed into each counseling pathway established under subsection (g).

"(vi) The number of members who received instruction in each of the post-service pathways described in subsection (h)(3).

"(vii) The number of members who participated in an apprenticeship or pre-apprenticeship program described in subsection (h)(6).

"(viii) The number of participants in the programs under subsection (e) of section 1143 of this title (commonly referred to as ‘Job Training, Employment Skills, Apprenticeships and Internships (JTEST-IA) or ‘Skill Bridge’).

"(x) Such other information as is required to provide Congress with a comprehensive description of the participation of members in the program.

"(7) JOINT SERVICE TRANSCRIPT.—The Secretary concerned shall provide a copy of the joint service transcript of a member of the armed forces to the following:

"(1) The member;

"(2) at the preliminary meeting with a counselor under the program to subsection (e)(2) is made available by electronic means to the member;

"(A) Commanders at all levels of command at the installations concerned.

"(B) on the day the member retires, separates, or is released from the armed forces.

"(C) The Secretary of Labor, the Secretary of Veterans Affairs on the day the member retires, separates, or is released from the armed forces.
provide counseling under the Transition Assistance Program has both prior military experience and not less than two years of experience in civilian employment at the time of employment by the Department for such purposes.

(2) **SENSE OF CONGRESS.**—It is the sense of the Congress that, in employing individuals to provide counseling under the Transition Assistance Program, the Secretary should consider affording a preference to individuals with longevity of experience in civilian employment or the Department.

(3) **APPLICABILITY.**—The Secretary shall comply with the requirement in paragraph (1) commencing not later than one year after the date of the enactment of this Act.

(b) **REPORT ON IMPLEMENTATION.**—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to Congress a report on the actions taken to implement this section, including—

(1) the actions taken to implement subsection (b);
(2) the number of individuals employed by the Department for that purpose;
(3) the percentage of individuals employed in connection with the Transition Assistance Program who meet the requirement in subsection (b);
(4) such other information as the Secretary considers appropriate.

(c) **SYSTEMS FOR TRACKING PARTICIPATION IN TRANSITION ASSISTANCE PROGRAM AND RELATED PROGRAMS.**

(1) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Defense shall commence the conduct of surveys pursuant to paragraph (1) by not later than 120 days after the date of the enactment of this Act.

(2) **SURVEYS ON MEMBER EXPERIENCES IN TRANSITION TO CIVILIAN LIFE.**

(A) **General.**—Each Secretary concerned shall conduct surveys of members of the Armed Forces under the jurisdiction of such Secretary concerning the experiences of such veterans in the transition from military life to civilian life.

(B) **MANNER OF CONDUCT.**—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor, conduct a pilot program to assess the feasibility and advisability of surveying veterans who have been retired, discharged, or released from the Armed Forces for at least one year, and not longer than four years, at the time of a survey pursuant to paragraph (1) to assess the experiences of such veterans in the transition from military life to civilian life.

(c) **Availability of information.**—Information in the tracking systems and data bases required by paragraph (1), other than information described in paragraph (1)(C), shall be available as follows:

(A) To members of the Armed Forces undergoing the transition from military life to civilian life, for the personal information of members.

(B) To commanders of members of the Armed Forces at all levels of command for members under their command.

(C) To all counselors and managers of counseling provided under the Transition Assistance Program for members they serve.

(D) To the Secretary of Labor, the Secretary of Veterans Affairs, and the heads of any other Federal government agencies involved in the furnishing of counseling and services under the Transition Assistance Program.

(b) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Commencing not later than two years after the date of the enactment of this Act, each Secretary concerned shall submit to Congress a report on the activities of the pilot program.

(2) **GENERAL CONSIDERATION.**—The Secretary shall determine which of the provisions of subsection (h) of such section 1142 shall be in effect for the pilot program.

(c) **SYSTEMS FOR TRACKING PARTICIPATION IN TRANSITION ASSISTANCE PROGRAM AND RELATED PROGRAMS.**

(1) **GENERAL.**—Each Secretary concerned shall conduct surveys of members of the Armed Forces under the jurisdiction of such Secretary concerning the experiences of such veterans in the transition from military life to civilian life.

(2) **MANNER OF CONDUCT.**—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor, conduct a pilot program to assess the feasibility and advisability of surveying veterans who have been retired, discharged, or released from the Armed Forces for at least one year, and not longer than four years, at the time of a survey pursuant to paragraph (1) to assess the experiences of such veterans in the transition from military life to civilian life.

(d) **SAFEGUARD OF PRIVACY.**—In carrying out this subsection, the Secretary concerned shall take all necessary and appropriate actions to protect the personal privacy of individual members of the Armed Forces as required by law.

(e) **DEFINITIONS.**—In this section:

(1) the term “Transition Assistance Program” means the program of counseling, training, employment assistance, and resources available to members of the Armed Forces and their spouses at the military installation concerned in connection with the Transition Assistance Program;

(2) the term “Secretary” means the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor;

(3) the term “Secretary concerned” means the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor; and

(4) the term “veterans in the transition from military life to civilian life” means veterans who have been retired, discharged, or released from the Armed Forces for at least one year, and not longer than four years, at the time of a survey pursuant to paragraph (1) to assess the experiences of such veterans in the transition from military life to civilian life.

SEC. 1705. SURVEYS ON MEMBER EXPERIENCES WITH TRANSITION ASSISTANCE PROGRAM COUNSELING AND SERVICES.

(a) SURVEYS ON MEMBER EXPERIENCES WITH TRANSITION ASSISTANCE PROGRAM COUNSELING AND SERVICES. —

(1) **IN GENERAL.**—Each Secretary concerned shall conduct surveys of members of the Armed Forces under the jurisdiction of such Secretary concerning the experiences of such veterans in the receipt of such counseling, information, and services under the Transition Assistance Program in order to assess the experiences of such members, and their spouses (if applicable), in the receipt of such counseling, information, and services.

(2) **ELEMENTS.**—The surveys under paragraph (1) shall be designed to obtain information concerning the Transition Assistance Program as the Secretaries concerned shall determine which of the provisions of section 1142 shall be in effect for the pilot program.

(A) **Member assessments.**—Each survey shall include questions concerning the adequacy of counseling services to members transition needs.

(B) **Obstacles or barriers.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(C) **Whether participating.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(D) **Consent.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(E) **Access to information.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(F) **Satisfaction with counseling.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(G) **Completion timeframes.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(H) **Assessment of needs.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(3) **COMPLETION.**—Each Secretary concerned shall submit to the Congress a report on surveys pursuant to paragraph (1) by not later than one year after the date of the enactment of this Act.

(b) **PILOT PROGRAM ON SURVEYS ON MEMBER EXPERIENCES IN TRANSITION TO CIVILIAN LIFE.**

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor, conduct a pilot program to assess the feasibility and advisability of surveying veterans who have been retired, discharged, or released from the Armed Forces for at least one year, and not longer than four years, at the time of a survey pursuant to paragraph (1) to assess the experiences of such veterans in the transition from military life to civilian life.

(2) **MANNER OF CONDUCT.**—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor, conduct a pilot program to assess the feasibility and advisability of surveying veterans who have been retired, discharged, or released from the Armed Forces for at least one year, and not longer than four years, at the time of a survey pursuant to paragraph (1) to assess the experiences of such veterans in the transition from military life to civilian life.

(3) **ELEMENTS.**—The Secretary shall determine which of the provisions of subsection (h) of such section 1142 shall be in effect for the pilot program.

(a) **GENERAL.**—Each Secretary concerned shall conduct surveys of members of the Armed Forces under the jurisdiction of such Secretary concerning the experiences of such veterans in the receipt of such counseling, information, and services under the Transition Assistance Program in order to assess the experiences of such members, and their spouses (if applicable), in the receipt of such counseling, information, and services.

(b) **SURVEYS ON MEMBER EXPERIENCES WITH TRANSITION ASSISTANCE PROGRAM COUNSELING AND SERVICES.**

(1) **IN GENERAL.**—Each Secretary concerned shall conduct surveys of members of the Armed Forces under the jurisdiction of such Secretary concerning the experiences of such veterans in the receipt of such counseling, information, and services under the Transition Assistance Program in order to assess the experiences of such members, and their spouses (if applicable), in the receipt of such counseling, information, and services.

(2) **ELEMENTS.**—The surveys under paragraph (1) shall be designed to obtain information concerning the Transition Assistance Program as the Secretaries concerned shall determine which of the provisions of section 1142 shall be in effect for the pilot program.

(A) **Member assessments.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(B) **Obstacles or barriers.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(C) **Whether participating.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(D) **Consent.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(E) **Access to information.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(F) **Satisfaction with counseling.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(G) **Completion timeframes.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(H) **Assessment of needs.**—Each survey shall include questions concerning the nature of obstacles or barriers militating against the provision of counseling services to members.

(3) **COMPLETION.**—Each Secretary concerned shall submit to the Congress a report on surveys pursuant to paragraph (1) by not later than one year after the date of the enactment of this Act.
(i) participation of spouse in the counseling and assistance described in subparagraph (E); and
(ii) satisfaction of spouse with the counseling and assistance described in subparagraph (E), if any, participated in by the spouse.

(I) Whether veterans felt sufficiently prepared education, or other advancement after military service as a result of participation in the Transition Assistance Program.

(J) Recommendations for improvements to the counseling and assistance furnished in connection with transition, or for other mechanisms to ease and facilitate transition.

(K) Such other matters as the Secretary of Veterans Affairs, in consultation with the other Secretaries referred to in paragraph (1), considers appropriate.

(4) SURVEY RESULTS.—The results of the survey under the pilot program shall be broken out by number of years post-separation of the veterans covered by the survey.

(5) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the pilot program. The report shall set forth the following:

(A) The results of the survey conducted under the pilot program.

(B) An assessment by the Secretary of the feasibility and advisability of continuing surveys such as the survey under the pilot program on a regular basis, as frequently as once every two years or such other frequency as the Secretary considers appropriate.

(c) PROTECTION OF PRIVACY.—In carrying out this section, the administrator of the Comptroller General of the United States, the Secretary of Education, and the Secretary of Defense shall be given the term in section 101(a)(9) of title 10, United States Code.

(d) DEFINITIONS.—In this section:

(1) The term "Transition Assistance Program" means the program of counseling, information, and services under section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(2) The term "Secretary concerned" has the meaning given that term in section 1142 of title 10, United States Code.

(3) The term "administering Secretaries" has the meaning given that term for purposes of section 101 of title 10, United States Code (as so amended).

SEC. 1706. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON PARTICIPATION IN TRANSITION ASSISTANCE PROGRAMS AT SMALL AND REMOTE MILITARY INSTALLATIONS.

(a) REPORT REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on a review, conducted by the Comptroller General for purposes of the report, on the participation in covered transition assistance programs of members of the Armed Forces assigned to small military installations and remote military installations in the United States.

(b) COVERED TRANSITION ASSISTANCE PROGRAMS.—For purposes of this section, covered transition assistance programs are the following:

(1) The Transition Assistance Program.

(2) The programs under section 1143(e) of title 10, United States Code (commonly referred to as "Job Training, Employment Assistance, Military Skills, Apprenticeships and Internships (JETESM-A)" or "Skill Bridge").

(3) Any other program of apprenticeship, on-the-job training, or internship offered at a small military installation or remote installation that the Comptroller General considers appropriate for inclusion in the review under this section.

(c) SMALL MILITARY INSTALLATIONS; REMOTE MILITARY INSTALLATIONS.—For purposes of this section:

(1) A small military installation is an installation at which are assigned not more than 10,000 members of the Armed Forces.

(2) A remote installation is an installation that is located more than 50 miles from any city with a population of 50,000 people or more (as determined by the Office of Management and Budget).

(d) SCOPE OF REVIEW.—In conducting the review, the Comptroller General shall evaluate participation in transition assistance programs at a number of small military installations and remote military installations that is sufficient to provide a complete understanding of the participation in such programs of members of the Armed Forces at such installations throughout the United States.

(e) ELEMENTS.—The review under this section shall include the following:

(1) Rates of participation of members of the Armed Forces in transition assistance programs at small military installations and remote military installations in the United States.

(2) In the case of the Transition Assistance Program, the following:

(A) Compliance with the deadlines for participation provided for in subsection (d) of section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(B) A comparison between rates of participation in person and rates of participation online.

(C) The average ratio of permanent, full-time equivalent program staff to participating members at small military installations and at remote military installations.

(D) The average number of program staff (including full-time equivalent staff and contract staff) physically and permanently located on installation at small military installations and at remote military installations.

(3) Such other matters with respect to participation in transition assistance programs of members assigned to small military installations and remote military installations as the Comptroller General considers appropriate.

(f) TRANSITION ASSISTANCE PROGRAM DEFINED.—In this section, the term "Transition Assistance Program" means the program of counseling, information, and services under section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

SEC. 1707. EDUCATION OF MEMBERS OF THE ARMED FORCES ON CAREER READINESS AND PROFESSIONAL DEVELOPMENT.

(a) PROGRAMS OF EDUCATION REQUIRED.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 101a(c) the following new section:

"(2101a. Education of members on career readiness and professional development.

"(a) PROGRAM OF EDUCATION REQUIRED.—The Secretary of Defense shall carry out a program to provide education on career readiness and professional development to members of the armed forces.

"(b) ELEMENTS.—The program under this section shall provide members with the following:

(1) Information on the transition plan as described in section 1142(h)(1)(A)(vi) of this title.

(2) Information on opportunities available to members during military service for professional development and preparation for a career after military service, including:

(A) programs of education, certification, training, and employment assistance (including programs under sections 114(e), 207, and 305 of this title); and

(B) programs and resources available to members in communities in the vicinity of military installations.

(3) Instruction on the use of online and other electronic mechanisms in order to access the education, training, and assistance and resources described in paragraph (2).

(4) Such other information, instruction, and matters as the Secretary shall specify for purposes of this section.

(b) REPORT ON IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the program of education required by section 2101a of title 10, United States Code (as so amended), including the following:

(1) A comprehensive description of the actions taken to implement the program of education.

(2) A comprehensive description of the program of education.

SEC. 1708. SENSE OF CONGRESS ON TRANSITION ASSISTANCE PROGRAM AND OTHER TRANSITION-RELATED ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.

It is the sense of Congress—

(1) to acknowledge that the Armed Forces face significant and competing pressures in carrying out its essential and fundamental mission to defend the nation;

(2) that ensuring the effective transition of members of the Armed Forces from military life to civilian life represents an essential component of this mission, contributing directly to the long-term success of the United States military and its missions through its effects on—

(A) the long-term success and well-being of current and former members of the Armed Forces and their families;

(B) the perception of the Armed Forces by the American public; and

(C) the civilian-military partnership integral to the United States.

(3) that the program of counseling, information, and services under section 1142 of
title 10, United States Code (as amended by section 1720 of this Act), while effective in the worthy goal of reducing the need for unemployment assistance among former members of the Armed Forces, should be designed and carried out for the holistic benefit, in both good and bad economic climates, of members of the Armed Forces participating in the program, and not simply as a metric or tool for employment;

(4) to support and commend efforts by the Department of Defense, the Department of Labor, and other agencies of the Federal Government in coordinating Federal and State efforts to assist members of the Armed Forces in civilian employment, training, and other activities, and to commend and further encourage efforts to incorporate metrics for compliance with Transition Assistance Program requirements to the lowest level of command and to establish a uniform, Armed Forces-wide policy on the individual at unit level who is responsible for monitoring compliance of members of the Armed Forces with such requirements;

(7) that the Secretary of Defense should seek to enhance collaboration and access to transition-related services by members of the Armed Forces seeking to leave the Federal, State, and local officials and contractors who administer the Transition Assistance Program and State and local officials and partners, non-governmental entities associated with the Transition Assistance Program or who offer transition-related services in the same or proximate physical locations, when possible;

(8) that the Secretary of Defense and the Secretary of Labor should seek to minimize subjectivity in career readiness metrics under the Transition Assistance Program in accordance with recommendations of the Comptroller General of the United States; and

(9) to encourage the Department of Defense, the Department of Labor, the Department of Veterans Affairs and appropriate State agencies to work together, and with veterans service organizations, to establish in States or locales, as appropriate, local points of contact responsible for—

(A) at the election of members of the Armed Forces transferring to such State or locale after military service, contacting the members before separation from the Armed Forces;

(B) providing members of the Armed Force with employment, education, and other appropriate information about the State or locale to assist in relocation; and

(C) coordinating services for members of the Armed Forces and the spouses who relocate to the State or locale after military service.

SA 2032. Mrs. HYDE-SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1145. NUCLEAR FILTRATION TESTING AND RESEARCH PROGRAM.

(a) In General.—Subtitle A of title XXIV of the Atomic Energy Defense Act (50 U.S.C. 2281 et seq.), as amended by section 3114, is further amended by adding at the end the following new section:

SEC. 4411. NUCLEAR FILTRATION TESTING AND RESEARCH PROGRAM.

(a) In General.—The Secretary of Energy shall—

(1) designate, as a federally funded research and development center, a research center at an institution of higher education not designated as a federally funded research and development center or a university-affiliated research center as of the date of the enactment of this section; and

(2) enter into a formal arrangement with that research center to carry out a partnership program to research, develop, and demonstrate new advancements with respect to nuclear containment ventilation systems.

(b) Funding.-(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this section $10,000,000 for each of fiscal years 2020 through 2024.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) shall remain available until expended.

(c) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4410, as added by section 3141, the following new item:

“Sec. 4411. Nuclear filtration testing and research program.”.

SA 2033. Mrs. HYDE-SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. THAD COCHRAN HEADQUARTERS BUILDING.

(a) In General.—The headquarters building of the Engineer Research and Development Center of the Corps of Engineers located at 1900 Halls Ferry Road in Vicksburg, Mississippi, shall be known and designated as the ‘‘Thad Cochran Headquarters Building’’.

(b) REFERENCE.—Any reference in a law, map, regulation, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ‘‘Thad Cochran Headquarters Building’’.

SA 2034. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 3. MODIFICATION TO INITIATIVE TO SUPPORT NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.


(1) by redesignating subsection (f) as subsection (g);

(2) by adding after subsection (e) the following new subsection (f):

“(f) DESIGNATION OF ACADEMIC LIABILITY.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall designate an academic liaison with principal responsibility for working with the academic community to protect Department-sponsored academic research of concern from undue foreign influence.

“(2) QUALIFICATION.—The Secretary shall designate an individual under paragraph (1)
who is an official of the Office of the Under Secretary of Defense for Research and Engineering.

(3) Duties.—The duties of the academic liaison designated under paragraph (1) shall be as follows:

(A) To serve as the liaison of the Department with the academic community,

(B) To identify and coordinate educational and outreach activities for the academic community on undue foreign influence and threats to Department-sponsored academic research and development activities of the Department of Energy. 

(C) To coordinate and align academic security policies with Department component agencies, the Office of Science and Technology, and the Office of Intelligence Community, Federal science agencies, and Federal regulatory agencies, including agencies involved in export controls.

(D) To the extent practicable, to coordinate on an annual basis with the intelligence community to share, not less frequently than annually, with the academic community unclassified information, including counterintelligence information, on threats from undue foreign influence.

(E) Any other related responsibility, as determined by the Secretary in consultation with the Under Secretary of Defense for Research and Engineering.

(F) Any other duty, as determined by the Secretary.

SA 2036. Mr. CASEY (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 3049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to improve the military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. ENCOURAGING THE DEVELOPMENT AND USE OF DISARM ANTIMICROBIAL DRUGS.

(a) ADDITIONAL PAYMENT FOR DISARM ANTIMICROBIAL DRUGS UNDER MEDICARE.—

(1) IN GENERAL.—Section 1886(d)(5) of the Social Security Act (42 U.S.C. 1395w(d)(5)) is amended by adding at the end the following subparagraph:

``(N)(i)(I) In the case of discharges occurring on or after October 1, 2021, and before October 1, 2025, to which subparagraph (K) applies, the Secretary shall, after notice and opportunity for public comment (in the publications required by subsection (e)(5) for a fiscal year or otherwise), provide for an additional payment under a mechanism (separate from the mechanism established under subparagraph (K)), with respect to such discharges involving a DISARM antimicrobial drug, in an amount equal to—

``(aa) the amount payable under section 1874A for such drug during the calendar quarter in which the discharge occurred; or

``(bb) if no amount for such drug is determined under section 1874A, an amount to be determined by the Secretary in a manner similar to the manner in which payment amounts are determined under section 1874A based on information submitted by the manufacturer or sponsor of such drug (as required by section 1874A for purposes of items (aa) and (bb) of subparagraph (A) and paragraphs (ii) and (iii) of subparagraph (B) of subsection (b) of section 1855E of the Federal Food, Drug, and Cosmetic Act); and

``(II) apply to discharges occurring on or after October 1 of the year in which the drug or biological product is designated by the Secretary as a DISARM antimicrobial drug.

(iii) The mechanism established pursuant to clause (i) shall provide that the additional payment under paragraph (A) of subsection (d) of such section shall apply to—

``(aa) a manufacturer or sponsor of the drug or biological product to request the Secretary to designate the drug or biological product as a DISARM antimicrobial drug;

``(bb) the designation by the Secretary of drugs and biological products as DISARM antimicrobial drugs; and

``(cc) that has been designated by the Secretary as a qualified infectious disease product under section 1927(b) of the Public Health Service Act for human use to treat serious or life-threatening infections, as determined by the Secretary.

(iv) The mechanism established pursuant to clause (i) shall provide that the additional payment under subsection (d)(5) of such section—

``(AA) an antibacterial or antifungal resistant pathogen, including novel or emerging infectious pathogens; or

``(BB) has an antimicrobial stewardship program with the Core Element of Hospital Antibiotic Stewardship Programs of the Centers for Disease Control and Prevention or a similar reporting program, as specified by the Secretary, relating to antimicrobial drugs; and

``(CC) has received an extension of its exclusion from payment under clause (i) in the same manner as such penicillin manufacturers under such clauses with respect to information under subparagraph (A) of such section.

(v) The mechanism established pursuant to clause (i) shall provide that—

``(I) an antibacterial or antifungal resistant pathogen, including novel or emerging infectious pathogens; or

``(II) apply to discharges occurring prior to the date of enactment of this subparagraph involving such a new medical service or technology under subparagraph (K); and

``(iii) an antibacterial or antifungal resistant pathogen, including novel or emerging infectious pathogens; or

``(BB) has an antimicrobial stewardship program with the Core Element of Hospital Antibiotic Stewardship Programs of the Centers for Disease Control and Prevention or a similar reporting program, as specified by the Secretary, relating to antimicrobial drugs; and

``(CC) has received an extension of its exclusion from payment under clause (i) in the same manner as such penicillin manufacturers under such clauses with respect to information under subparagraph (A) of such section.

(vi) The mechanism established pursuant to clause (i) shall—

``(AA) an antibacterial or antifungal resistant pathogen, including novel or emerging infectious pathogens; or

``(BB) has an antimicrobial stewardship program with the Core Element of Hospital Antibiotic Stewardship Programs of the Centers for Disease Control and Prevention or a similar reporting program, as specified by the Secretary, relating to antimicrobial drugs; and

``(CC) has received an extension of its exclusion from payment under clause (i) in the same manner as such penicillin manufacturers under such clauses with respect to information under subparagraph (A) of such section.

(ii) In determining the amount payable under section 1874A for such drug during the calendar quarter in which the discharge occurred; or

"(BB) A designation of a drug or biological product as a DISARM antimicrobial drug under subsection (d) of such section shall be applied by substituting '90 percent' for '6 percent'.

(iii) For purposes of this subparagraph, a DISARM antimicrobial drug is—

``(I) a drug—

``(aa) that—

``(AA) is approved by the Food and Drug Administration;

``(BB) is designated by the Food and Drug Administration as a qualified infectious disease product for such drug under subsection (d) of section 1855E of the Federal Food, Drug, and Cosmetic Act; and

``(CC) has received an extension of its exclusivity period pursuant to subsection (a) of such section; and

``(bb) that has been designated by the Secretary pursuant to the process established under clause (iv)(I)(bb); or

``(II) an antibacterial or antifungal biological product—

``(aa) that is licensed for use, or an antibacterial or antifungal biological product for which an indication is first licensed for use, by the Food and Drug Administration on or after June 5, 2014, under section 351(a) of the Public Health Service Act,

``(bb) that has been designated by the Secretary pursuant to the process established under clause (iv)(I)(bb); and

``(cc) that is a drug that has been designated by the Secretary as a DISARM antimicrobial drug under subsection (d) of such section.

(iv) The mechanism established pursuant to clause (i) shall provide that the additional payment under clause (i) shall provide that the additional payment under subsection (d)(5)(K)(ii)(III) of the Social Security Act (42 U.S.C. 1395w(d)(5)(K)(ii)(III)) is amended by striking ''provide'' and inserting ''provide'' and inserting—

``subject to subparagraph (N)(vi), provide''.

(v) The study and report required under paragraph (1) of section 1886(d)(5)(K)(ii) of the Social Security Act (42 U.S.C. 1395w(d)(5)(K)(ii)) is amended by striking ''provide'' and inserting ''subject to subparagraph (N)(vi), provide''.

(2) CONFORMING AMENDMENT.—Section 1886(d)(5)(K)(ii) of the Social Security Act (42 U.S.C. 1395w(d)(5)(K)(ii)) is amended by striking ''provide'' and inserting—

``subject to subparagraph (N)(vi), provide''.

(3) IN GENERAL.—Section 1886(d)(5)(K)(ii) of the Social Security Act (42 U.S.C. 1395w(d)(5)(K)(ii)) is amended by striking ''provide'' and inserting—

``subject to subparagraph (N)(vi), provide''.

(4) STUDY AND REPORT.—The Comptroller General shall submit to Congress a report containing the preliminary results of
the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SA 2037. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. DELEGATION OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITYs BY THE PRESIDENT.

The President may delegate any authority or responsibility vested in the President under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to any officer or employee of the Federal Government if the President determines that such delegation is consistent with, and will further, the policy of the United States as stated in section 3(c).

SA 2038. Mr. CASEY (for himself, Mr. BENNET, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 2. LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking ``(but such and all that follows through “are employed”);'';

(B) in paragraph (4), by striking ``(and)'' after the semicolon;

(C) in paragraph (5), by striking the period after “Islands” and inserting “;” and

(D) by adding at the end the following:

“(6) The Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as “Rest of United States”.”;

(b) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period after “employee” and inserting “;” and

(C) by adding at the end the following:

“(4) ‘pay locality’ has the meaning given that term under section 5302.”;

(c) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)) of title 5, United States Code.

SA 2041. Ms. STABENOW (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 3. BRIEFING ON THE IMPLEMENTATION OF REQUIREMENTS ON CONNEXIONS OF RETIRING AND SEPARATING MEMBERS OF THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief Congress on the current status of the implementation of the requirements of section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401; 10 U.S.C. 1142 note), relating to connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

SA 2042. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 4. PROHIBITION ON CONDUCT OF FIRST-USE NUCLEAR STRIKES.

(a) SHORT TITLE.—This section may be cited as the “Restricting First Use of Nuclear Weapons Act of 2020”.

(b) PROHIBITION.—Notwithstanding any other provision of law, the President may not authorize the Armed Forces of the United States to conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such conduct.

(c) FIRST-USE NUCLEAR STRIKE DEFINED.—In this section, the term “first-use nuclear strike” means an attack using nuclear weapons against an enemy conducted without the President determining that the enemy has first launched a nuclear strike

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the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SA 2037. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. DELEGATION OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITYs BY THE PRESIDENT.

The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by inserting after section 2 the following new section:

“Stc. 3. (a) The President may delegate any authority or responsibility vested in the President to any officer or employee of the Federal Government if the President determines that such delegation is consistent with, and will further, the policy of the United States as stated in section 3(c).

(b) As soon as is practicable after a delegation of any authority or responsibility under this section, the President shall submit to Congress a report on such delegation setting forth the following:

(1) The authority or responsibility delegated.

(2) The officer or employee to whom delegated.

(3) A detailed justification for such delegation.”

SA 2038. Mr. CASEY (for himself, Mr. BENNET, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 2. LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking “(but such and all that follows through “are employed”);”;

(B) in paragraph (4), by striking “and” after the semicolon;

(C) in paragraph (5), by striking the period after “Islands” and inserting “;” and

(D) by adding at the end the following:

“(6) The Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as “Rest of United States”.”;

(b) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period after “employee” and inserting “;” and

(C) by adding at the end the following:

“(4) ‘pay locality’ has the meaning given that term under section 5302.”;

(c) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)) of title 5, United States Code.

SA 2041. Ms. STABENOW (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 3. BRIEFING ON THE IMPLEMENTATION OF REQUIREMENTS ON CONNEXIONS OF RETIRING AND SEPARATING MEMBERS OF THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief Congress on the current status of the implementation of the requirements of section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401; 10 U.S.C. 1142 note), relating to connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

SA 2042. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 4. PROHIBITION ON CONDUCT OF FIRST-USE NUCLEAR STRIKES.

(a) SHORT TITLE.—This section may be cited as the “Restricting First Use of Nuclear Weapons Act of 2020”.

(b) PROHIBITION.—Notwithstanding any other provision of law, the President may not authorize the Armed Forces of the United States to conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such conduct.

(c) FIRST-USE NUCLEAR STRIKE DEFINED.—In this section, the term “first-use nuclear strike” means an attack using nuclear weapons against an enemy conducted without the President determining that the enemy has first launched a nuclear strike
against the United States or an ally of the United States.

SA 2043. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

Subtitle B—MATTERS RELATING TO TREATY WITHDRAWAL OR TERMINATION

SEC. 1. SHORT TITLE

This subtitle may be cited as the "Preventing Actions Undermining Security without Endorsement Act" or the "PAUSE Act".

SEC. 2. FINDINGS

Congress makes the following findings:

(1) The COVID–19 global pandemic has highlighted the need for United States leadership to address the full range of international challenges, including the need for the United States to withdraw from the Treaty on Open Skies and agreements under the North Atlantic Treaty Organization (NATO), specifically to the principle of collective defense enshrined in Article 5 of the North Atlantic Treaty, signed at Washington April 4, 1949.

(2) For more than 70 years, the United States has shown a bipartisan commitment to the North Atlantic Treaty Organization (NATO), specifically to the principle of collective defense enshrined in Article 5 of the North Atlantic Treaty, signed at Washington April 4, 1949.

(3) Section 1242 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) prohibited the use of funds for the North Atlantic Treaty withdrawal from or termination of the treaty.

(4) On January 22, 2019, the House of Representatives passed H.R. 676 (116th Congress) on a 357–22 vote, prohibiting the use of funds for withdrawal, termination or non-compliance from any international treaty to which the President has given its advice and consent to ratification without proper consultation with, and affirmation by, Congress.

(5) A February 2020 report from the Department of State confirmed, in part, that verifiable limits on "Russia’s strategic nuclear force" under the New START Treaty "currently contribute to the national security of the United States".

(10) A decision by the President to allow the New START Treaty to expire on February 5, 2021, without the United States having first successfully concluded a verifiable and binding agreement in its place, would lead to the United States losing visibility into the strategic composition of the Russian Federation’s arsenal to the detriment of the national security of the United States and its allies.

The United States provides Congress an important role in the treaty process, requiring the advice and consent of two-thirds of the Senate for approval of a resolution of ratification.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should refrain from taking any action to withdraw or terminate any international treaty to which the Senate has given its advice and consent to ratification without proper consultation with, and affirmation by, Congress.

(2) the 1979 Supreme Court decision in Goldwater v. Carter, 444 U.S. 996 (1979), is not controlling legal precedent with respect to the role of Congress in the withdrawal or termination of the United States from an international treaty, as the Court directed the lower court to dismiss the complaint and did not address the constitutionality of the decision by President Carter to terminate the Mutual Defense Treaty between the United States of America and the Republic of China, signed at Washington April 11, 1954 (commonly referred to as the “Sino-American Mutual Defense Treaty”); and

(3) the United States should take every action to reinforce its reputation as a country that fully complies with its obligations under the international treaties to which it is a party.

SEC. 4. JOINT RESOLUTION OF APPROVAL FOR TERMINATION OR WITHDRAWAL FROM AN INTERNATIONAL TREATY

No action to terminate or withdraw the United States from any international treaty to which the Senate has given its advice and consent to ratification may occur unless:

(1) the Secretary of Defense and the Secretary of State meet the requirements under section

(2) there is enacted into law a joint resolution that approves such action.

SEC. 5. SUBMISSION ON NOTICE OF INTENT TO TERMINATE OR WITHDRAW THE UNITED STATES FROM AN INTERNATIONAL TREATY

(a) IN GENERAL.—Not later than 120 days before the provision of notice of intent to terminate or withdraw the United States from any international treaty to which the Senate has given its advice and consent to ratification, the Secretary of Defense and the Secretary of State, in consultation with the Director of National Intelligence, shall each submit to the appropriate committees of Congress—

(1) a detailed justification for the withdrawal or termination of the treaty;

(2) if the justification described in paragraph (1) includes that a state party to the treaty is in material breach of one or more obligations under the treaty, a detailed explanation of the steps taken by that state party to return to compliance with such obligations;

(3) a certification that—

(A) all other state parties to the treaty have been consulted with respect to the justification described in paragraph (1); and

(B) withdrawal from or termination of the treaty would be in the best national interests of the United States; and

(c) APPLICABILITY TO NEW STRATEGIC ARMS REDUCTION TREATY.—This section shall apply to a decision by the President to not renew the New START Treaty for up to an additional 5 years.

SEC. 6. APPLICABILITY TO TREATY ON OPEN SKIES

Sections 4 and 5 shall apply with respect to the Treaty on Open Skies.

SEC. 7. DEFINITIONS.

In this subtitle:

(A) COMMITTEE ON ARMED SERVICES AND COMMITTEE ON FOREIGN AFFAIRS.—The term "appropriate committees of Congress" means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.


(3) TREATY ON OPEN SKIES.—The term "Treaty on Open Skies" means the Treaty on Open Skies, signed at Helsinki March 24, 1992.

SA 2044. Mr. MARKEY (for himself and Ms. KLOBUCAR) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. OVERSIGHT RELATED TO GOVERNMENTAL RESPONSE TO HEALTH-RELATED EPIDEMICS.

(a) IN GENERAL.—Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000e) is amended—

(1) in subsection (c)—

(A) (1) by inserting "or to respond to health-related epidemics after "terrorism"; and
(B) in paragraph (2), by inserting "or to respond to health-related epidemics" after "against terrorism";
(2) in subsection (d)—
(A) in the first sentence, by inserting "or to respond to health-related epidemics" after "from terrorism" each place it appears; and
(B) in paragraph (2)—
(i) in subparagraph (B), by striking "and" at the end;
(ii) in subparagraph (C), by striking the period at the end and inserting "; and"; and
(iii) adding at the end the following:
"(D) the collection, use, storage, and sharing of covered data by Federal, State, or local government in connection with a response to a declaration of a public health emergency to ensure that privacy and civil liberties are protected;"
(3) by redesignating subsection (m) as subsection (n); and
(4) by inserting after subsection (i) the following:
"(m) DEFINITIONS.—In this section:
(1) AGGREGATE DATA.—The term 'aggregate data' means information that relates to a group or category of individuals that is not linked or reasonably linkable to any individual or device that is linked or reasonably linkable to an individual; and
(2) processes the data for public health purposes only; and
(3) contractually requires the same commitment for all transfers of the data.
(2) AUTOMATED EXPOSURE NOTIFICATION SERVICE.—
(A) IN GENERAL.—The term 'automated exposure notification service' means a website, online service, online application, mobile application, or mobile operating system that is offered in commerce in the United States and that is designed, in part or in full, specifically to be used for, or marketed for, or marketed primarily for, notifying, in an automated manner, an individual who may have become exposed to an infectious disease (or the device of such individual, or a person or entity that reviews such disclosures). 
(B) LIMITATIONS.—Such term does not include—
(i) any technology that a public health authority uses as a means to facilitate traditional in-person, email, or telephonic contact tracing activities, or any similar technology that is used to assist individuals to evaluate if they are experiencing symptoms related to an infectious disease to the extent the technology is not used as an automated exposure notification service; or
(ii) any platform operator or service provider that provides technology to facilitate an automated exposure notification service to the extent the technology acts only to facilitate such services and is not itself used as an automated exposure notification service.
(3) COLLECT; COLLECTION.—The terms 'collect' and 'collection' mean acquiring, obtaining, receiving, accessing, or otherwise acquiring covered data by any means, including by passively or actively observing an individual or group, conducting on-line or in-person gathering, obtaining, receiving, accessing, or otherwise acquiring covered data.
(4) COVERED DATA.—The term 'covered data' means any information that is—
(A) linked or reasonably linkable to any individual or device that is linked or reasonably linkable to an individual; and
(B) not aggregate data; and
(C) collected, processed, or transferred in connection with an automated exposure notification service.
(5) INDIAN TRIBE.—The term 'Indian tribe' means—
(A) has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); and
(B) includes a Native Hawaiian organization as defined in section 6307 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7537).
(6) OPERATOR OF AN AUTOMATED EXPOSURE NOTIFICATION SERVICE.—The term 'operator of an automated exposure notification service' means an entity that operates an automated exposure notification service, other than a public health authority, and that is—
(A) subject to the Federal Trade Commission Act (15 U.S.C. 41 et seq.); or
(B) an organization not organized to carry on business for the organization’s own profit or that of the organization’s members.
(7) PLATFORM OPERATOR.—The term 'platform operator' means any person or entity other than a service provider who operates an automated exposure notification service.
(A) takes reasonable measures to safeguard the data from reidentification;
(B) publicly commits in a conspicuous manner not to attempt to reidentify or associate the data with any individual or device linked or reasonably linkable to an individual;
(C) processes the data for public health purposes only; and
(D) contractually requires the same commitment for all transfers of the data.
(8) PROCESS.—The term 'process' means any operation or set of operations performed on covered data, including collection, analysis, organization, structuring, retaining, using, securing, or otherwise handling covered data.
(9) PUBLIC HEALTH AUTHORITY.—The term 'public health authority' means an agency or authority of the United States, a State, a political subdivision of a State or territory, or an Indian tribe that is responsible for public health matters as part of its official mandate, or a person or entity acting under a grant of authority from or contract with such public agency.
(10) SERVICE PROVIDER.—The term 'service provider' means any person or entity, other than a platform operator, that processes or transfers covered data in the course of performing a service or function on behalf of, and at the direction of, a platform operator, an operator of an automated exposure notification service, or a public health authority, but only to the extent that such processing or transfer relates to the performance of such service or function.
(11) STATE.—The term ‘State’ means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
(12) TRANSFER.—The term 'transfer' means to disclose, release, share, disseminate, make available, allow access to, sell, license, or otherwise communicate covered data by any means to a nonaffiliated entity or person.
(13) REPORTS.—Section 106(f) of the Intelligence Reform and Terrorism Prevention Act of 2004 (22 U.S.C. 2606(f)) is amended by adding at the end the following:
(1) REPORTS ON COVID–19 MITIGATION ACTIVITIES.—Not later than 1 year after the date of enactment of this paragraph, the Board shall issue a report which shall be publicly available to the greatest extent possible, assessing the impact on privacy and civil liberties of Government activities in response to the public health emergency related to Coronavirus 2019 (COVID–19), and making recommendations for how the Government should mitigate the threats posed by such emergency.
(2) REPORTS ON PUBLIC HEALTH EMERGENCY RESPONSE.—Not later than 1 year after any federal emergency or disaster declaration related to public health, or not later than 1 year after the termination of such declaration, the Board shall issue a report, which shall be publicly available to the greatest extent possible, assessing the impact on privacy and civil liberties of Government activities in response to such emergency or disaster, and making recommendations for how the Government should mitigate the threats posed by such emergency or disaster."

SA 2045. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 9. STATEMENT OF POLICY REGARDING IRAN DIPLOMACY.

It is the policy of the United States as follows:
(1) Achieving a diplomatic resolution to Iran's nuclear program, one that the United States had in place prior to President Trump's unilateral abrogation from the JCPOA, would represent a significant step to preventing a future armed conflict between the United States and Iran, one which would result in the untold loss of life and treasure.
(2) While the United States no longer has standing in the Joint Commission or the Dispute Resolution mechanism triggered by France, Germany, and the United Kingdom on January 14, 2020, it should support good-faith efforts to achieve one or both of the following:
(A) Returning all sides to not less than full compliance with its commitments under the JCPOA and refraining from imposing or threatening to impose economic penalties on France, Germany, or the United Kingdom. 
(B) Negotiating an interim agreement that provides Iran with tailored, temporary economic relief in exchange for verifiable measures by Iran that reverses steps taken since May 2019 with respect to its nuclear program.
(3) Provided that all sides verifiably return to full compliance with no less than its commitments under the JCPOA, or to build upon the progress of an interim agreement described in paragraph (2)(B), the United States and the other P5+1 parties should seek out negotiations with Iran, prior to 2023, towards a new comprehensive agreement that closes off all Iranian paths to a nuclear weapon by—
(A) addressing the sunset of certain provisions of the JCPOA in 2026; and
(B) advancing any other measures that advance United States and international security.
(4) Parallel to one or more of the actions described in paragraph (2), the United States and its international partners should seek to address other aspects of Iran's destabilizing behavior in the region and work to bring Iran back to compliance with its human rights obligations.
No JCPOA Participating State should issue a claim of ‘significant nonperformance’ by Iran to the United Nations Security Council outside of the Dispute Resolution mechanism outlined in paragraphs 36 and 37 of the JCPOA.

The United States should, consistent with its JCPOA commitments, issue waivers for certain projects specified in the JCPOA, all of which make it more difficult for Iran to reconstitute activities that pose a proliferation risk, thereby advancing United States and international security.

The United States should create an environment in which financial institutions and entities can make practical use of existing exemptions and mechanisms “allowing for the sale of agricultural commodities, food, medicine, and medical devices to Iran,” as well as other humanitarian trade.

SA 2046. Mr. MARKEY (for himself, Ms. WARREN, Mr. MERKLEY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Prevention of an Unconstitutional War in North Korea

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “No Unconstitutional War with North Korea Act of 2020.”

SEC. 1292. FINDINGS.

Congress makes the following findings:

(1) The President is currently prohibited from initiating a war or launching a first strike without congressional approval under the United States Constitution and United States law.

(2) The Constitution, in Article I, Section 8, grants Congress the sole power to declare war.

(3) Section 2(c) of the War Powers Resolution (50 U.S.C. 1541(c)) states that “the constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces.”

SEC. 1293. PROHIBITION ON UNCONSTITUTIONAL MILITARY STRIKES AGAINST NORTH KOREA

(a) Prohibition of Authorized Military Force in or Against North Korea.—Except as provided in subsection (b), no Federal funds may be obligated or expended for any purpose of military force in or against North Korea unless Congress has—

(1) declared war; or

(2) expressly granted statutory authorization for such use of military force after the date of the enactment of this Act that meets the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(b) Exception.—The prohibition under subsection (a) shall not apply to a use of military force that is consistent with section 2(c) of the War Powers Resolution.

(c) Rule of Construction.—Nothing in this section may be construed—

(1) to prevent the President from using necessary and appropriate force to defend United States allies and partners if Congress enacts specific statutory authorization for the use of force to defend such allies and partners, as provided in sections 2(c) of the War Powers Resolution (50 U.S.C. 1541 et seq.); (2) to relieve the executive branch of the requirement to report and consultation requirements set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.); or (3) to authorize the use of military force.

SEC. 1294. SENSE OF CONGRESS IN SUPPORT OF DIPLOMATIC RESOLUTION TO GRADUATE TENSIONS WITH NORTH KOREA.

It is the sense of Congress that—

(A) a conflict on the Korean peninsula would have catastrophic consequences for the American people, for members of the United States Armed Forces stationed in the region, for United States allies the Republic of Korea and Japan, for the long-suffering people of North Korea, and for global peace and security; and (B) statements that increase tensions and could lead to miscalculation should be avoided; and

(2) The President, in coordination with United States allies, should explore and pursue every feasible opportunity to engage in talks with the Government of North Korea to achieve concrete steps to reduce nuclear proliferation risk, thereby advancing United States law.

(B) as stated by the Commander of United States Forces Korea on March 31, 2020, the partial furlough of such individuals was “heartbreaking” and “in no way a reflection of the performance, dedication, or conduct”; and

(C) The United States Government should work with the Government of the Republic of Korea to ensure that individuals do not bear the burden of breakdowns in negotiations regarding defense cost-sharing.

SA 2048. Mr. MARKEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII of division A, add the following:

SEC. 1262. TAIWAN FELLOWSHIP PROGRAM.

(a) SHORT TITLE.—This section may be cited as the “Taiwan Fellowship Act.”

(b) FINDINGS; PURPOSES.—

(1) FINDINGS.—Congress finds the following:

(A) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) affirmed United States policy “to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area.”

(B) Consistent with the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), the United States has grown its strategic partnership with Taiwan’s vibrant democracy of 23,000,000 people.

(C) Despite a concerted campaign by the People’s Republic of China to isolate Taiwan diplomatically, its partnership with international organizations, including the World Health Organization, Taiwan has emerged as a global leader in the coronavirus global pandemic response, including by donating more than 2,000,000 surgical masks and other medical equipment to the United States.

(D) The creation of a United States fellowship program with Taiwan would support a key priority of expanding people-to-people exchanges, which was outlined in the President’s 2017 National Security Strategy.

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

(A) to further strengthen the United States-Taiwan strategic partnership and the United States-Taiwan security relationship; and

(B) to broaden understanding of the Indo-Pacific region by temporarily assigning officials of any branch of the United States Government
to Taiwan for intensive study in Mandarin and placement as Fellows with Taiwan central authorities or a Taiwanese civic institution;

(b) to provide for eligible United States personnel to learn Mandarin Chinese and expand their understanding of the political economy of Taiwan and the Indo-Pacific region;

(c) to better position the United States to advance its economic, security, and human rights interests in the Indo-Pacific region; and

(d) to encourage further expansion of other people-to-people exchanges, including by expanding the Fulbright Scholars Program, the International Visitor Leadership Program, and other exchange programs that permit the people of Taiwan to work and study in the United States.

(c) DEFINITIONS.—In this section:

(1) AGENCY HEAD.—The term ‘agency head’ means—

(A) in the case of the executive branch of United States Government or an agency of the legislative branch other than the Senate or the House of Representatives, the head of the respective agency;

(B) in the case of the judicial branch of United States Government, the chief judge of the respective court; and

(C) in the case of the Senate, the President pro tempore, in consultation with the Majority Leader and the Minority Leader of the Senate.

(2) AGENCY OF THE UNITED STATES GOVERNMENT.—The term ‘agency of the United States Government’ includes any agency of the legislative branch and any court of the judicial branch as well as any agency of the executive branch.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Appropriations of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(4) DETAIL.—The term ‘detail’ means an employment of the Secretary of the United States Government on loan to the American Institute in Taiwan in Taiwan without a change of position from the agency at which he or she is employed.

(5) IMPLEMENTING PARTNER.—The term ‘implementing partner’ means any United States organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that—

(a) performs logistical, administrative, and other functions, as determined by the Department of State and the American Institute in Taiwan in support of the Taiwan Fellowship Program; and

(b) enters into a cooperative agreement with an appropriate entity, for the purpose of facilitating the placement of fellows in an agency of the Taiwan authorities during the second year of their fellowships; and

(c) becomes a partner to further service in the United States; and

(d) meets any other qualifications established by the Department of State and the American Institute in Taiwan, as determined by the Department of State, the American Institute in Taiwan, and, as appropriate, its implementing partner.

(6) ESTABLISHMENT.—The Secretary of State shall establish the ‘Taiwan Fellowship Program’ to provide 2-year fellowship opportunities in Taiwan for eligible United States citizens, as described in subsection (d); in consultation with the American Institute in Taiwan and the implementing partner, may modify the program name.

(A) IN GENERAL.—The American Institute in Taiwan should use amounts appropriated pursuant to subsection (q)(1) to provide annual or multi-year grants to an appropriate implementing partner.

(B) FELLOWSHIPS.—The Department of State, in consultation with the American Institute in Taiwan and, as appropriate, the implementing partner, should annually award not fewer than 18 2-year fellowships based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(C) To continue Federal Government employment for a period of not less than 2 years after the conclusion of the fellowship unless, in the view of the implementing agencies, the fellow is unable to secure such employment for reasons beyond the fellow’s control.

(D) To make efforts to recruit fellowship candidates who reflect the diversity of the United States; and

(E) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(F) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(G) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(H) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(I) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(J) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(K) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(L) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(M) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(N) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(O) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(P) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(Q) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(R) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(S) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(T) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(U) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(V) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(W) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(X) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(Y) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(Z) To select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.
and benefits received by the fellow; multiplied by

(II) the percentage of the period specified in paragraph (2)(C) during which the fellow did not remain employed by the Federal Government.

(5) ANNUAL REPORT.—Not later than 90 days after the selection of the first class of fellows under this section, and annually thereafter, the Department of State shall offer to brief the appropriate congressional committees regarding the following issues:

(A) the assessment of the performance of the implementing partner in fulfilling the purposes of this section;

(B) the names and addresses of the implementing agencies of the fellows selected by the implementing partner and the extent to which such fellows represent the diversity of the United States.

(C) the parliamentary offices, ministries, other agencies of the Taiwan authorities, and nongovernmental institutions to which each fellow was assigned during the second year of the fellowship.

(D) any recommendations to improve the implementation of the Taiwan Fellows Program, including added flexibilities in the administration of the program.

(E) An assessment of the Taiwan Fellows Program’s value upon the relationship between the United States and Taiwan or the United States and Asian countries.

(6) ANNUAL FINANCIAL AUDIT.—

(A) IN GENERAL.—The financial records of any implementing partner shall be audited under an agreement with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants who are certified or licensed by a regulatory authority of a State or another political subdivision of the United States.

(B) LOCATION.—Each audit under subparagraph (A) shall be conducted at the place or places where the financial records of the implementing partner are normally kept.

(C) ACCESS TO DOCUMENTS.—The implementing partner shall make available to the accountants conducting an audit under subparagraph (A)—

(i) all books, financial records, files, other papers, things, and property belonging to, or in use by, the implementing partner that are necessary to facilitate the audit; and

(ii) the verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(D) REPORT.—

(i) IN GENERAL.—Not later than 6 months after the end of each fiscal year, the implementing partner shall provide a report of the audit conducted for such fiscal year under subparagraph (A) to the Department of State and the American Institute in Taiwan.

(ii) CONTENTS.—Each audit report shall—

(A) set forth the scope of the audit;

(B) include such statements, along with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants who are certified or licensed by a regulatory authority of a State or another political subdivision of the United States;

(C) be detailed to a written report provided to the appropriate implementing partner; and

(D) be made available to the American Institute in Taiwan.

(E) An assessment of the performance of the implementing partner in fulfilling the purposes of this section.

(F) The name and address of the implementing agencies of the fellows selected by the implementing partner and the extent to which such fellows represent the diversity of the United States.

(G) Any recommendations to improve the implementation of the Taiwan Fellows Program, including added flexibilities in the administration of the program.

(H) An assessment of the Taiwan Fellows Program’s value upon the relationship between the United States and Taiwan or the United States and Asian countries.

(7) RESOLUTION OF CONFLICTS.—In the event of a conflict between this section and any other provision of title 5, United States Code, and any regulations promulgated thereunder, the provisions of title 5 and such regulations shall prevail.

(8) NO FINANCIAL LIABILITY.—The American Institute in Taiwan, the implementing partner, and any appropriate implementing partner shall not be liable for financial losses or losses of any kind to or from Taiwan for the allowances and benefits listed in paragraph (3).

(9) FUNDING.—

(A) AUTHORIZATION OF AppropriATIONS.—There are authorized to be appropriated to the American Institute in Taiwan—

(A) for fiscal year 2021, $500,000 to launch the Taiwan Fellowship Program through the issuance of a competitive grant to an appropriate implementing partner; and

(B) for fiscal year 2021, and each succeeding fiscal year, $3,200,000, of which—

(i) $3,100,000 shall be used for management expenses of the American Institute in Taiwan related to the implementation of the Taiwan Fellowship Program;

(ii) $100,000 shall be used for management expenses of the American Institute in Taiwan related to the implementation of the Taiwan Fellowship Program.

(B) PRIVATE SOURCES.—The implementing partner selected to implement the Taiwan Fellowship Program may accept, use, and dispose of gifts or donations of services or property in carrying out such program, subject to the review and approval of the American Institute in Taiwan.

SA 2049. Mr. MARKEY (for himself, Mr. BENNET, Ms. HASSAN, and Mr. VAN HULSTEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:


(a) DEFINITIONS.—In this section—

(A) ADVANCED TELECOMMUNICATIONS AND INFORMATION SERVICES.—The term ‘‘advanced telecommunications and information services’’ means advanced telecommunications and information services, as that term is used in section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h));

(B) COMMISION.—The term ‘‘Commission’’ means the Federal Communications Commission.

(C) CONNECTED DEVICE.—The term ‘‘connected device’’ means a laptop computer, tablet computer, smartphone, or similar device that is capable of connecting to advanced telecommunications and information services.

(D) COVERED REGULATIONS.—The term ‘‘covered regulations’’ means the regulations promulgated under subsection (b).

(E) COVID-19 EMERGENCY PERIOD.—The term ‘‘COVID-19 emergency period’’ means the period of time during which a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C.
SA 2505. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1297. CONGRESSIONAL APPROVAL REQUIRED FOR CIVILIAN NUCLEAR CO-OPERATION AGREEMENTS UNLESS CONDITIONAL OR UNLESS NUCLEAR NONPROLIFERATION TREATY COMMITMENTS HAVE BEEN MET.

(a) In General.—Notwithstanding any other requirements under section 123 of the Atomic Energy Act of 1946 (42 U.S.C. 2153), the President, concurrent with submitting a proposed civilian nuclear cooperation agreement with a foreign country in accordance with the requirements under such section, and 60 days prior to the renewal of any pre-existing civilian nuclear cooperation agreement, shall submit to Congress a report—

(1) LIST OF COMMITMENTS.—The report required under section 123 of the Atomic Energy Act of 1946 (42 U.S.C. 2153) shall include a list of the nuclear non-proliferation, disarmament, and arms control commitments made by the foreign government with respect to any existing or proposed civilian nuclear cooperation agreement.

(2) ON THE RECORD.—The President shall include in the report a statement of the reasons why the foreign country intends, conditionally or unconditionally, to pursue a nuclear program that is not inherently peaceful, including descriptions of initiatives and statements of efforts by a senior leader of that foreign country;

(3) CIVILIAN NUCLEAR COOPERATION AGREEMENT.—The President shall have the authority to enter into nuclear cooperation agreements with foreign countries that are not in compliance with the nuclear non-proliferation, disarmament, and arms control commitments included in the report with respect to the civilian nuclear cooperation agreement for the purposes of application to support provided under the covered regulations; and


SEC. 1298. NO FUNDING FOR NUCLEAR WEAPONS.

(a) Definitions.—In this section:

(1) NUCLEAR WEAPONS.—The term ‘‘nuclear weapons’’ means—

(1) the weapons of mass destruction defined by the Nuclear Nonproliferation Treaty; or

(2) the weapons of mass destruction defined by the Chemical Weapons Convention.

(b) Prohibition.—No funds appropriated under this title or under any other title of this Act may be used for the development, production, or stockpiling of nuclear weapons, including any research or development projects, or for the deployment of any defense system, or for any other purpose related to the development, production, or deployment of nuclear weapons.

SEC. 1299. REPORT TO CONGRESS ON THE STATUS OF NUCLEAR NONPROLIFERATION.

(a) In General.—The President shall submit to Congress a report—

(1) ON THE RECORD.—The report required under section 123 of the Atomic Energy Act of 1946 (42 U.S.C. 2153) shall include a statement of the reasons why the foreign country intends, conditionally or unconditionally, to pursue a nuclear program that is not inherently peaceful, including descriptions of initiatives and statements of efforts by a senior leader of that foreign country;

(2) CIVILIAN NUCLEAR COOPERATION AGREEMENT.—The President shall have the authority to enter into nuclear cooperation agreements with foreign countries that are not in compliance with the nuclear non-proliferation, disarmament, and arms control commitments included in the report with respect to the civilian nuclear cooperation agreement for the purposes of application to support provided under the covered regulations; and


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(1) the weapons of mass destruction defined by the Nuclear Nonproliferation Treaty; or

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(b) Prohibition.—No funds appropriated under this title or under any other title of this Act may be used for the development, production, or stockpiling of nuclear weapons, including any research or development projects, or for the deployment of any defense system, or for any other purpose related to the development, production, or deployment of nuclear weapons.

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(1) ON THE RECORD.—The report required under section 123 of the Atomic Energy Act of 1946 (42 U.S.C. 2153) shall include a statement of the reasons why the foreign country intends, conditionally or unconditionally, to pursue a nuclear program that is not inherently peaceful, including descriptions of initiatives and statements of efforts by a senior leader of that foreign country;

(2) CIVILIAN NUCLEAR COOPERATION AGREEMENT.—The President shall have the authority to enter into nuclear cooperation agreements with foreign countries that are not in compliance with the nuclear non-proliferation, disarmament, and arms control commitments included in the report with respect to the civilian nuclear cooperation agreement for the purposes of application to support provided under the covered regulations; and

MURPHY, Ms. SMITH, Mr. SANDERS, Ms. BALDWIN, Mr. WYDEN, Mr. BROWN, Ms. HIRONO, Mr. CASEY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1655. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS TEST EXPLOSIONS.

(a) In General.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2021, or to be appropriated or otherwise made available for any fiscal year before fiscal year 2021 and available for obligation as of the date of the enactment of this Act, may be obligated or expended for the test or make preparations for any explosive nuclear weapons test that produces any yield.

(b) Rule of Construction.—Subsection (a) does not apply to any stockpile stewardship activities that are consistent with the zero-yield standard and other requirements under law.

SA 2052. Mr. MARKEY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1566. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS ACTIVITIES.

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense or the Department of Energy for—

(1) research, development, test, and evaluation or procurement of the ground-based strategic deterrent or any new intercontinental ballistic missile and the W87-1 warhead;

(2) research, development, test, and evaluation or procurement of the long-range stand-off weapon or the W38-4 warhead life extension program;

(3) research, development, test, and evaluation or procurement of a nuclear sea-launched cruise missile;

(4) plutonium process at the Savannah River Site, Aiken, South Carolina;

(5) sustaining the B83-1 bomb after fiscal year 2035; or

(6) concept assessment and refinement activities for the W93 warhead.

SA 2053. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1656. PROHIBITION ON USE OF FUNDS FOR NUCLEAR WEAPONS TEST EXPLOSIONS.

(a) In General.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2021, or to be appropriated or otherwise made available for any fiscal year before fiscal year 2021 and available for obligation as of the date of the enactment of this Act, may be obligated or expended for the test or make preparations for any explosive nuclear weapons test that produces any yield.

(b) Rule of Construction.—Subsection (a) does not apply to any stockpile stewardship activities that are consistent with the zero-yield standard and other requirements under law.

SA 2054. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1567. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS ACTIVITIES.

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense or the Department of Energy for—

(1) research, development, test, and evaluation or procurement of the ground-based strategic deterrent or any new intercontinental ballistic missile and the W87-1 warhead;

(2) research, development, test, and evaluation or procurement of the long-range stand-off weapon or the W38-4 warhead life extension program;

(3) research, development, test, and evaluation or procurement of a nuclear sea-launched cruise missile;

(4) plutonium process at the Savannah River Site, Aiken, South Carolina;

(5) sustaining the B83-1 bomb after fiscal year 2035; or

(6) concept assessment and refinement activities for the W93 warhead.

SA 2055. Mr. DURBIN (for himself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. BROWN, Mr. KAINE, Mr. MERKLEY, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1657. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS ACTIVITIES.

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense or the Department of Energy for—

(1) research, development, test, and evaluation or procurement of the ground-based strategic deterrent or any new intercontinental ballistic missile and the W87-1 warhead;

(2) research, development, test, and evaluation or procurement of the long-range stand-off weapon or the W38-4 warhead life extension program;

(3) research, development, test, and evaluation or procurement of a nuclear sea-launched cruise missile;

(4) plutonium process at the Savannah River Site, Aiken, South Carolina;

(5) sustaining the B83-1 bomb after fiscal year 2035; or

(6) concept assessment and refinement activities for the W93 warhead.

SA 2056. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1568. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS ACTIVITIES.

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense or the Department of Energy for—

(1) research, development, test, and evaluation or procurement of the ground-based strategic deterrent or any new intercontinental ballistic missile and the W87-1 warhead;

(2) research, development, test, and evaluation or procurement of the long-range stand-off weapon or the W38-4 warhead life extension program;

(3) research, development, test, and evaluation or procurement of a nuclear sea-launched cruise missile;

(4) plutonium process at the Savannah River Site, Aiken, South Carolina;

(5) sustaining the B83-1 bomb after fiscal year 2035; or

(6) concept assessment and refinement activities for the W93 warhead.

SA 2057. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1658. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS ACTIVITIES.

Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense or the Department of Energy for—

(1) research, development, test, and evaluation or procurement of the ground-based strategic deterrent or any new intercontinental ballistic missile and the W87-1 warhead;

(2) research, development, test, and evaluation or procurement of the long-range stand-off weapon or the W38-4 warhead life extension program;

(3) research, development, test, and evaluation or procurement of a nuclear sea-launched cruise missile;

(4) plutonium process at the Savannah River Site, Aiken, South Carolina;

(5) sustaining the B83-1 bomb after fiscal year 2035; or

(6) concept assessment and refinement activities for the W93 warhead.
SEC. 1085. NOTIFICATIONS AND REPORTS REGARDING REPORTED CASES OF BURN PIT EXPOSURE.

(a) QUARTERLY NOTIFICATIONS.—

(1) In a quarterly basis, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a report on each case of burn pit exposure by a covered veteran reported during the previous quarter.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to each case of burn pit exposure of a covered veteran included in the report, the following:

(A) Notice of the case, including the medical facility at which the case was reported.

(B) Notice of, as available—

(i) the enrollment status of the covered veteran with respect to the patient enrollment system of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code;

(ii) the demographics of the covered veteran, including age, sex, and race;

(iii) any non-Department of Veterans Affairs health care benefits that the covered veteran receives;

(iv) the Armed Force in which the covered veteran served and the rank of the covered veteran;

(v) the time period in which the covered veteran served;

(vi) each location of an open burn pit from which the covered veteran was exposed to toxic airborne chemicals and fumes during such service;

(vii) the medical diagnoses of the covered veteran and the treatment provided to the veteran; and

(ix) whether the covered veteran is registered in the Airborne Hazards and Open Burn Pit Registry.

(b) PROTECTIVE INFORMATION.—The Secretary shall ensure that the reports submitted under paragraph (1) do not include the identity of covered veterans or contain other personally identifiable data.

(c) ANNUAL REPORT ON CASES.—

(1) In general.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs, in collaboration with the Secretary of Defense, shall submit to the appropriate congressional committees a report detailing the following:

(A) The total number of covered veterans.

(B) The total number of claims for disability compensation under chapter 11 of title 38, United States Code, approved and the total number denied by the Secretary of Veterans Affairs with respect to a covered veteran, and any such denial, the rationales of the denial.

(C) A comprehensive list of—

(i) the conditions for which covered veterans seek treatment;

(ii) the locations of the open burn pits from which the covered veterans were exposed to toxic airborne chemicals and fumes.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to each case of burn pit exposure of a veteran presents at a medical facility of the Department of Veterans Affairs (or in a non-Department facility pursuant to section 1703 or 1703A of title 38, United States Code) for treatment that the veteran describes as being related to, or ancillary to, the exposure of the veteran to toxic airborne chemicals and fumes caused by open burn pits at any time while serving in the Armed Forces.

SA 2057. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment, as follows:

SEC. 1072. STUDY AND REPORT ON THE AFFORDABILITY OF INSULIN.

The Secretary of Health and Human Services, acting through the Assistant Secretary for Planning and Evaluation, shall—

(1) conduct a study that examines, for each type or classification of diabetes (including diabetics and diabetics, type 1 diabetes, type 2 diabetes, gestational diabetes, and other conditions causing reliance on insulin), the effect of the affordability of insulin on—

(A) adherence to insulin prescriptions;

(B) rates of diabetic ketoacidosis;

(C) downstream impacts of insulin adherence, including rates of dialysis treatment and stage renal failure; and

(D) spending by Federal health programs on acute episodes that could have been avoided by adhering to an insulin prescription,

and other factors, as appropriate, to understand the impacts of insulin affordability on health outcomes, Federal Government spending (including under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and uninsured and insured individuals with diabetes;

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report on the study conducted under paragraph (1).

SA 2058. Ms. SMITH (for herself and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by her to the bill S. 3049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for other purposes; which was ordered to lie on the table; as follows:

SEC. 1052. STUDY AND REPORT ON THE AFFORDABILITY OF INSULIN.

The Secretary of Health and Human Services, acting through the Assistant Secretary for Planning and Evaluation, shall—

(1) conduct a study that examines, for each type or classification of diabetes (including diabetics and diabetics, type 1 diabetes, type 2 diabetes, gestational diabetes, and other conditions causing reliance on insulin), the effect of the affordability of insulin on—

(A) adherence to insulin prescriptions;

(B) rates of diabetic ketoacidosis;

(C) downstream impacts of insulin adherence, including rates of dialysis treatment and stage renal failure; and

(D) spending by Federal health programs on acute episodes that could have been avoided by adhering to an insulin prescription;

and other factors, as appropriate, to understand the impacts of insulin affordability on health outcomes, Federal Government spending (including under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and uninsured and insured individuals with diabetes; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report on the study conducted under paragraph (1).
by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C title XII, insert the following:

SEC. 1224. PROHIBITION ON UNAUTHORIZED MILITARY OPERATIONS AGAINST IRAN.

(a) In General.—No funds authorized by this Act may be used to conduct hostilities against the Government of Iran, the Armed Forces of Iran, or in the territory of Iran.

(b) Rule of Construction.—Nothing in this section may be construed—

(1) to restrict the use of the United States Armed Forces to defend against an attack upon the United States, its territories or possessions, or its Armed Forces;

(2) to limit the obligations under the War Powers Resolution (50 U.S.C. 1541 et seq.); or

(3) to affect the provisions of an Act or a joint resolution of Congress specifically authorizing such hostilities that is enacted after the date of the enactment of this Act.

SA 2060. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1222 and insert the following:

SEC. 1225. PROHIBITION ON USE OF FUNDS TO PROVIDE ASSISTANCE TO VETTED SYRIAN OPPOSITION.

None of the funds authorized to be appropriated by this Act may be obligated or expended for assistance under section 1209 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 2541), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

SA 2061. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 2002, strike subsection (e) and insert in lieu thereof:

(e) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 as specified in the funding table in section 4601, the Secretary of the Air Force may expend not more than $15,000,000 for the purposes of planning and design to support the projects described in budget year 2019.

(2) INCREASE.—The amount authorized to be appropriated for fiscal year 2021 for military construction for the Air Force is hereby increased by $15,000,000, with the amount of the increase to be designated to Air Force, Unspecified Worldwide Locations, Planning and Design.

(3) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Army is hereby reduced by the amount of the reduction to be derived from subactivity group 421, Servicewide Transportation.

SA 2062. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 773, line 8, strike “Activities” and insert—

“Consistent with title II of the Asia Reassurance and Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5991), activities”.

SA 2063. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle E of title XII, insert the following:


It is the sense of Congress that the Pacific Deterrence Initiative is designed to implement the strategic and policy objectives articulated by Congress in the Asia Reassurance and Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5991) and by the executive branch in the National Security Strategy, the “Free and Open Indo-Pacific” strategy of the Department of Defense, and the Indo-Pacific strategy report of the Department of Defense, which states that the Asia Reassurance Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5387) “enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.”

SA 2064. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1251 and insert the following:

SEC. 1251. PACIFIC DETERRENCE INITIATIVE.

(a) In General.—Title II of the Asia Reassurance and Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5991) is amended by adding at the end the following new section:

“SEC. 217. PACIFIC DETERRENCE INITIATIVE.

“(a) In General.—The Secretary of Defense shall carry out an initiative to ensure the effective implementation of the National Defense Strategy with respect to the Indo-Pacific region, to be known as the ‘Pacific Deterrence Initiative’ (in this section referred to as the ‘Initiative’), (b) PURPOSE.—The purpose of the Initiative is to carry out only the following activities:

(1) Activities to increase the lethality of the joint force in the Indo-Pacific region, including, but not limited to—

(A) by improving active and passive defenses against theater ballistic, ballistic, and hypersonic missiles for bases, operating locations, and other critical infrastructure at locations west of the International Date Line; and

(B) procurement and fielding of—

(i) long-range precision strike systems to be stationed or pre-positioned west of the International Date Line; and

(ii) critical munitions to be pre-positioned at locations west of the International Date Line; and

(c) Deterrence initiatives; and

partners, including, but not limited to—

(1) by—

(A) building capacity of allies and partners; and

(B) improving—

(i) interoperability and information sharing with allies and partners; and

(ii) information operations capabilities in the Indo-Pacific region, with a focus on reinforcing United States commitment to allies and partners and countering malign influence;

(d) BUDGET DISPLAY INFORMATION.—The Secretary shall include in the materials of the Department of Defense in support of the
ed by inserting after the item relating to section 216 the following:

“Sec. 217. Pacific Deterrence Initiative.”

SA 2065. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 12. ESTABLISHMENT OF TECHNOLOGY AND INDUSTRIAL TRILATERAL ALLIANCE OF NATIONS.

(a) AUTHORITY.—The Secretary of State, the Secretary of Commerce, and the Secretary of the Treasury may jointly establish a technology and industrial trilateral alliance of nations, or “TTIAN” (referred to in this section), to develop, manufacture, sell, and support innovative products based on industrial and research and development in the following sectors:

(1) Agriculture.

(2) Communications.

(3) Construction technologies.

(4) Electronics.

(5) Electrical electronics.

(6) Life sciences.

(7) Software.

(8) Homeland security.

(9) Renewable and alternative energy.

(10) Any other technology sector the Secretary considers appropriate.

(b) COMPETITIVE GRANT PROGRAM.—The Foundation shall administer a competitive grant program for private entities based in the United States, Israel, and the Indo-Pacific region to develop, manufacture, sell, and support innovative products based on industrial and research and development in the following sectors:

(1) Agriculture.

(2) Communications.

(3) Construction technologies.

(4) Electronics.

(5) Electrical electronics.

(6) Life sciences.

(7) Software.

(8) Homeland security.

(9) Renewable and alternative energy.

(10) Any other technology sector the Secretary considers appropriate.

(f) STIPENDS.—(1) AMOUNT.—The amount of the stipend payable to a participant under a pilot program under this section, the Secretary of a military department concerned shall specify for purposes of the pilot program.

(f) STIPENDS.—(2) FREQUENCY OF PAYMENT.—A participant under a pilot program may be paid on a semestral, term, academic year, or other basis, at the election of the Secretary of the military department concerned. A participant may be paid a stipend under the pilot program in more than applicable period.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for each of fiscal years 2021 through 2025 for the Department of Defense, $5,000,000 for purposes of carrying out pilot programs authorized by this section. The amount so authorized to be appropriated for each fiscal year shall be allocated among the military departments for purposes of carrying out such pilot programs in such fiscal year in such amounts as the Secretary of Defense considers appropriate for purposes of this section.
year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. SENSE OF CONGRESS ON CROSS-BORDER DELIVERIES IN THE GALWAN VALLEY AND THE GROWING TERRITORIAL CLAIMS OF THE PEOPLE’S REPUBLIC OF CHINA.

(a) FINDINGS.—Congress makes the following findings:

(1) Since a truce in 1962 ended skirmishes between India and the People’s Republic of China, the countries have been divided by a 2,100-mile-long Line of Actual Control.

(2) In the decades since the truce, military standoff have rarely claimed the lives of soldiers.

(3) In the months leading up to June, 2020, along the Line of Actual Control, the People’s Republic of China—
   (A) reportedly amassed 5,000 soldiers; and
   (B) is believed to have crossed into previously disputed territory considered to be settled as part of India under the 1962 truce.

(4) On June 6, 2020, the People’s Republic of China and India reached an agreement to de-escalate and disengage along the Line of Actual Control.

(5) On June 15, 2020, at least 20 Indian soldiers and an unknown number of Chinese soldiers were killed in skirmishes following a weeks-long standoff in Eastern Ladakh, which is the de facto border between India and the People’s Republic of China.

(6) Following the deadly violence, Prime Minister Narendra Modi of India stated, “[w]henever there have been differences of opinion, we have always tried to ensure that those differences never turned into a dispute”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) India and the People’s Republic of China should work toward deescalating the situation along the Line of Actual Control; and

(2) the expansion and aggression of the People’s Republic of China in and around disputed territories, such as the Line of Actual Control in the China Sea, the Senkaku Islands, is of significant concern.

SEC. 2068. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle G of title V, add the following:

SEC. 12. INDEPENDENT STUDY AND REPORT ON MILITARY SPOUSE UNDEREMPLOYMENT.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a Federally funded research and development center to conduct a study on underemployment among military spouses. The study shall consider, at a minimum, the following:

(1) The prevalence of unemployment and underemployment among military spouses, including differences by Armed Force, region, State, education level, and income level.

(2) The causes of unemployment and underemployment among military spouses.

(3) The differences in unemployment and underemployment between military spouses and civilians.

(4) Barriers to small business ownership and entrepreneurship faced by military spouses.

(b) SUBMITTAL TO DOJ.—Not later than 240 days after the date of the enactment of this Act, the Federally funded research and development center with which the Secretary contracts pursuant to subsection (a) shall submit to the Secretary a report containing the results of the study conducted pursuant to that subsection.

(c) TRANSMITTAL TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the President shall transmit to the appropriate committees of Congress the report under subsection (b), without change.

(1) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means the following:

(1) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, the Committee on Small Business, and Committee on Appropriations; and

(2) the Committee on Armed Services, the Committee on Education and Labor, the Committee on Small Business, and Committee on Appropriations of the House of Representatives.

SA 2069. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 126. SENSE OF CONGRESS ON THE REASURANCE INITIATIVE ACT OF 2018.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense Indo-Pacific Strategy Report, released on June 1, 2019, states: “[T]he Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.

(2) The Indo-Pacific Strategy Report further states: “The United States has a vital interest in upholding the rules-based international order and its security, economic, and political architecture. The Department of Defense, in the strategy, outlines how we will contribute to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.”

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2070. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. PROCUREMENT OF LITTER-ATTACHED LOAD STABILITY SYSTEMS FOR UH-60 AIRCRAFT.

The amount authorized to be appropriated by this Act for fiscal year 2021 for Aircraft Procurement, Army and available for Utility Helicopters/UH-60 mods is increased by $11,091,000, with the amount of such increase to be available for the procurement of additional litter-attached load stability systems to be deployed at the bottom of the helicopter holst, on 39 aircraft.

SA 2071. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. SENSE OF CONGRESS ON ESTABLISHMENT OF A CYBER LEAGUE OF INDO-PACIFIC STATES TO ADDRESS CYBER THREATS.

(a) FINDINGS.—Congress makes the following findings:

(1) The world has benefited greatly from technological innovations under the leadership of the United States in the post-World War era, including the creation of the World Wide Web which has provided an entirely new platform for wealth creation and human flourishing through cyber-commerce and connectivity.
(2) Cybercrime affects companies large and small, as well as infrastructure that is vital to the economy as a whole.
(3) A 2016 study from the Center for Strategic & International Studies, in cooperation with McAfee, estimates that the global economic losses from cybercrime are approximately $600,000,000,000 annually and rising.
(4) According to the Pew Charitable Trust, 64 percent of people in the United States had fallen victim to cybercriminals as of 2017.
(5) General Keith Alexander, then-Director of the National Security Agency, termed theft of United States intellectual property “the greatest transfer of wealth in history.”
(6) On September 25, 2015, the United States and the People’s Republic of China announced joint statements that “neither country’s government will conduct or knowingly support cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors.”
(7) The People’s Republic of China nonetheless continues to contribute to the rise of cybercrime, exploiting weaknesses in the international system to undermine fair competition and to enrich themselves, cybercrime, including through theft of intellectual property and state-sponsored malicious actions to undermine and weaken competition.
(8) According to the 2019 Worldwide Threat Assessment by the Director of National Intelligence: “We expect the heavier reliance on digital means to affect almost all societies, intensifying the rivalry among states and the growing capabilities and activities we expect to see from states, nonstate actors, and cyber-enabled criminals. China and Russia are the two most capable cyber weapons states.”
(9) From 2011 to 2018, more than 90 percent of cases handled by the Department of Justice alleging economic espionage by or to benefit a foreign country involved the People’s Republic of China.
(10) More than ½ of the cases handled by the Department of Justice involving theft of trade secrets have a nexus to the People’s Republic of China.
(11) Experts have asserted that the Made in China 2025 strategy of the Government of the People’s Republic of China will incentivize Chinese entities to engage in unfair competitive behavior, including additional theft of technology and intellectual property.
(12) The Democratic People’s Republic of Korea has also contributed to the rise of cybercrime and according to the 2018 Worldwide Threat Assessment by the Director of National Intelligence: “We expect the heavily sanctioned North Korea to use cyber operations to raise funds and to gather intelligence on U.S. and other attacks on South Korea and the United States. . . . North Korean actors developed and launched the WannaCry ransomware in May 2017, judging from technical analysis.”
(13) Chapter 2(a)(8) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9201(a)(8)) states, “The Government of North Korea has provided technical support and conducted destructive and coercive cyberattacks, including against Sony Pictures Entertainment and other companies in order to obtain information on a commercial jet engine.”
(14) The United States has taken action on its own against international cybercrime, including—
(A) the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114-122), which imposed mandatory sanctions against persons engaging in significant activities undermining cybersecurity on behalf of the Democratic People’s Republic of Korea; and
(B) criminal charges filed by the Department of Justice on October 25, 2018, in which the Department alleged that the Chinese intelligence services conducted cyber intrusions against companies in order to obtain information on a commercial jet engine.
(15) The March 2016 Department of State International Cyber政策 Strategy noted that “the Department of State anticipates a continued increase and expansion of cyber-focused diplomatic efforts for the foreseeable future.”
(16) Concerted action by countries that share concerns about state-sponsored cyber threats is necessary to prevent the growth of cybercrime and other destabilizing national-security and economic outcomes.
(17) Section 215 of the Asia Reassurance Initiative Act of 2018 (Public Law 115-409) calls for “robust cybersecurity cooperation between the United States and nations in the Indo-Pacific region” and “authorized to be appropriated 100,000,000,000 for each of the fiscal years 2019 through 2023 to enhance cybersecurity cooperation between the United States and the Indo-Pacific nations for the purpose of combating cybersecurity threats.”
(18) SEC. 952. DEPARTMENT OF DEFENSE CENTER OF EXCELLENCE FOR UNMANNED AERIAL SYSTEMS EDUCATION AND TRAINING.
(a) DESIGNATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall designate the United States Air Force Academy as the Department of Defense Center of Excellence for Unmanned Aerial Systems Education and Training (in this section referred to as the “Center”).
(b) PARTNERSHIPS.—The Secretary of Defense, to the extent the support from the Secretary of the Air Force, ensure that the Center collaborates across the Department of Defense, with a focus on other military service academies, research laboratories, and operational unmanned aerial systems units (UAS), as well as other institutions of higher education, industry, and appropriate public and private entities (including international entities), to carry out the responsibilities specified in subsection (c).
(c) RESPONSIBILITIES.—The Center shall do the following:
(1) Develop and maintain a comprehensive academic curriculum to leverage current and developing future unmanned aerial systems technology, including aircraft design, command and control, sensor technology, artificial intelligence, mission systems, and tactics, techniques and procedures.
(2) Build unmanned aerial systems airmanship, experience, and expertise by encouraging a combat laboratory in which cadets receive knowledge, experimental learning, and familiarization with the manner in which the Department of Defense employs unmanned aerial systems operations in a future multi-domain environment.
(3) Enable experimentation and development of unmanned aerial systems command and control systems, multiple systems interoperability, common operating standards, autonomy, simulation, sensor fusion, alternative modes of navigation, and sense and avoid technologies.
(4) Maintain faculty with current unmanned aerial systems combat experience, as well as unmanned aerial systems development and test experience, to educate a cadre of military unmanned aerial systems professionals well into the future.
(5) Enhance capabilities, cooperative, and exchange of information across the unmanned aerial systems community of the Department.
(6) Foster cooperation and collaboration between the military service academies, civilian academia, research laboratories and private sector to facilitate education, research, and development, and consultation with respect to unmanned aerial systems.
(7) Provide a forum to discuss industry trends, best practices, curriculum, and professional opportunities with respect to unmanned aerial systems.
(d) CERTIFICATION.—Upon making the designation required by subsection (a) and is complying with subsection (b), the Secretary of Defense shall certify to the Committee on Armed Services of the Senate and the House of Representatives that the Secretary has made the designation required by subsection (a) and is complying with subsection (b).
SA 2072. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:
SEC. 952. DEPARTMENT OF DEFENSE CENTER OF EXCELLENCE FOR UNMANNED AERIAL SYSTEMS EDUCATION AND TRAINING.
him to the bill S. 4049, to authorize ap-
propriations for fiscal year 2021 for
military activities of the Department of
Defense, for military construction, and for
defense activities of the De-
partment of Energy, to prescribe mili-
tary personnel strengths for such fiscal
year, and for other purposes; which was
ordered to lie on the table; as follows:

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

SEC. 3. AUTHORITY FOR ASSISTANCE UNDER
THE RUSSIAN INFRASTRUCTURE
PILOT PROGRAM TO PUBLIC-
PRIVATE PARTNERSHIPS.

Section 202 of title 10, United States Code, is amended—

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

(2) by inserting after paragraph (2) the fol-
lowing new paragraph (3):

''(3) The Secretary may provide assist-
ance under paragraph (1) to an entity that is
a public-private partnership for a commu-
nity infrastructure project proposed by the
entity.

''(4) An entity described in subparagraph (A)
seeking assistance under paragraph (1) for
a community infrastructure project pro-
posed by the entity may include with such
proposal a plan for transitioning ownership
of the project to a State or local govern-
ment.''

SA 2074. Mr. GARDNER submitted an
amendment intended to be proposed by him to the bill S. 4049, to authorize ap-
propriations for fiscal year 2021 for
military activities of the Department of
Defense, for military construction, and for
defense activities of the Department of
Energy, to prescribe military personnel strengths for such fiscal
year, and for other purposes; which was
ordered to lie on the table; as follows:

At the appropriate place, insert the fol-
lowing:

TITLE I—DENUCLEARIZATION OF
DEMOCRATIC PEOPLE’S REPUBLIC
OF KOREA

SEC. 1. SHORT TITLE.

This title may be cited as the “Leverage to
Enhance Effective Diplomacy Act of 2019” or
the “LEED Act”.

Subtitle A—Review of Strategy and Policy
Toward the Democratic People’s Republic of
Korea

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Government of the Democratic People’s Republic of Korea has flagrantly de-
fied the international community by illic-
tly developing its nuclear and ballistic missile programs, in violation of United Nations Se-

(2) The March 5, 2019, report of the Panel of Experts established pursuant to United Na-
tions Security Council Resolution 1674 (2006) highlighted several deficiencies in the en-
forcement of sanctions with respect to the Democratic People’s Republic of Korea.

(3) The Panel of Experts report illustrated that the People’s Republic of China and the
Russian Federation are among those coun-
tries not fully implementing multilateral sanctions resolutions, and the Russian Federation had
impeded efforts by the United States to
expose and address illegal ship-to-ship trans-
fers.

(4) Despite known deficiencies in global sanctions implementation, the pace of
United States sanctions designations with
respect to the Democratic People’s Republic of
Korea has slowed noticeably, even as rel-
vant United States law, including the North
Korea Sanctions and Policy Enhancement
Act of 2018 (P.L. 115–409), mandates the imposition of United States sanctions for behaviors de-
scribed as significant support, in-
cluding human rights violations and malign activities in cyberspace.

SEC. 12. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States is committed to the
peaceful pursuit of the complete, verifiable, and irreversible dismantlement of the illicit weapons pro-
grams of the Democratic People’s Repub-
lic of Korea through a combina-
tion of pressure and engagement;

(2) meaningful advancement in relations
between the United States and the Demo-
cratic People’s Republic of Korea is directly
contingent on significant progress by the
Democratic People’s Republic of Korea to
secure the release of United States citi-
zens detained in the Democratic People’s
Republic of Korea; and

(3) the United States is committed to the
rush, after the date of the enactment of this Act,
to secure the release of United States citi-
zens detained in the Democratic People’s
Republic of Korea.

SEC. 13. ADDRESSING THE EVOLVING
THREATS POSED BY AND CAPABILI-
TIES OF THE DEMOCRATIC PEo-
PLE’S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 60 days
after the date of the enactment of this Act,
and every 180 days thereafter until the date
that is 2 years after such date of enactment, the
Director of National Intelligence, in con-
junction with the Secretary of State and the
Secretary of Energy, to prescribe mili-
tary activities of the Department
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SEC. 14. BRIEFING ON UNITED STATES
ENGAGEMENT WITH THE DEMOCRATIC
PEOPLE’S REPUBLIC OF KOREA.

Not later than 90 days after the date of the enactment of this Act, the
Secretary of State shall brief the appropriate congressional
committees on the status of any United
States diplomatic engagement with the
Government of the Democratic People’s Repub-
lic of Korea, including with respect to efforts
to secure the release of United States citi-
zens detained in the Democratic People’s
Republic of Korea.

SEC. 15. BRIEFING AND STRATEGY RELATING
TO THE USE OF ROCKET FUELS PO-
RAL BALLISTIC MISSILES BY THE
DEMOCRATIC PEOPLE’S REPUBLIC
OF KOREA.

(a) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 90 days
after the date of the enactment of this Act,
the Secretary of State shall brief the
approp-
rate congressional committees on—

(1) the evolving threats posed by and capa-

(b) ELEMENTS.—The briefing under par-

(A) An assessment of each type of rocket fuel
the Democratic People’s Republic of
Korea uses, or potentially may use, to
power its ballistic missiles, including the
chemical precursors, production process, and required production equipment for each such type of
rocket fuel.

(B) With respect to each such type of rocket
fuel, an assessment of the following:

(1) Whether the use of that type of rocket
fuel by the Democratic People’s Republic
of Korea is prohibited under United
Nations Security Council resolutions, other multila-
teral sanctions imposed with respect to the
Democratic People’s Republic of Korea, or
sanctions imposed by the United States with
respect to the Democratic People’s Republic of Korea.

(2) Whether the Democratic People’s Re-
public of Korea imports that type of rocket
fuel as a finished product or imports chemi-
cal precursors and manufactures the fin-
ished product.

(3) From which countries the Democratic
People’s Republic of Korea imports that type of rocket fuel as a finished product or from which the Democratic People’s
Republic of Korea imports chemical precur-
sors and equipment to manufacture that
type of rocket fuel.
(iv) The size and locations of the Democratic People's Republic of Korea's stockpiles, if any, of that type of rocket fuel.
(v) Whether that type of rocket fuel can be attributed to an original exporter based on unique chemical signatures or other relevant identifying information.

(b) STRATEGY REQUIRED.—The Secretary of State shall consult with the heads of relevant agencies, shall develop a diplomatic strategy to end the transfer of all rocket fuels and chemical precursors for rocket fuels to the Democratic People's Republic of Korea.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States Ambassador to the Democratic People's Republic of Korea should introduce a resolution to the United Nations Security Council to request that the Panel of Experts on the Democratic People's Republic of Korea established by United Nations Security Council Resolution 1874 (2009) investigate the importation and manufacture by the Democratic People's Republic of Korea of rocket and ballistic missile fuels, including unsymmetrical dimethyl hydrazine, solid fuels, and other fuels or their chemical precursors.

SEC. 16. BRIEFING AND STRATEGY RELATING TO EFFORTS BY THE RUSSIAN FEDERATION TO BLOCK ENFORCEMENT OF UNITED NATIONS SANCTIONS.

(a) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Russian Federation to undercut enforcement of United Nations sanctions with respect to the Democratic People's Republic of Korea by, among other things, the sale, transfer, or retransfer of rocket fuels, and other fuels or their chemical precursors to the Democratic People's Republic of Korea.

(2) ELEMENTS.—The briefing required under paragraph (1) shall include the following:

(A) An assessment of the likelihood that the patterns of behavior illustrated by Annexes 1 to 3 to the March 5, 2019, report of the Panel of Experts established pursuant to United Nations Security Council Resolution 1874 (2009), including efforts of the Russian Federation to disrupt findings, will continue.

(B) A description of steps being taken to ensure, despite the opposition of the Russian Federation, that the United Nations Security Council to act to halt all refined petroleum product exports to the Democratic People's Republic of Korea in each 12-month period that the limit described in paragraph (1) is exceeded.

(C) A description of any other United Nations sanctions with respect to the Democratic People's Republic of Korea being disregarded or actively undercut by the Russian Federation.

(b) PROCESS REQUIRED.—The Secretary of State, in consultation with the heads of relevant agencies, shall develop a diplomatic strategy to counter efforts by the Russian Federation to undercut enforcement of United Nations sanctions, including efforts of the Russian Federation to disrupt findings. The strategy shall include:

(1) appropriate congressional committees with respect to the Democratic People's Republic of Korea.

SEC. 17. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

Subtitle B—Measures to Address the Threats Posed by and Capabilities of the Democratic People's Republic of Korea

SEC. 21. REPORT ON EFFECTING A STRATEGY TO ECONOMICALLY PRESSURE THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on actions taken by the United States diplomatically and economically to pressure the Democratic People's Republic of Korea.

(b) ELEMENTS.—Each report required by subsection (a) shall include:

(1) a description of the actions taken by the United States to implement measures to diplomatically and economically pressure the Democratic People's Republic of Korea, and

(2) a description of the actions taken by the United States to implement measures to economically pressure the Democratic People's Republic of Korea.

Subtitle C—Strategy to End Use of North Korean Laborers by Other Countries

SEC. 31. STRATEGY TO END USE OF NORTH KOREAN LABORERS AND HUMAN RIGHTS VIOLATIONS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a strategy to end the use of North Korean laborers by other countries.

(b) ELEMENTS.—Each report required by subsection (a) shall include:

(1) a list of the entities that employ North Korean laborers;

(2) a list of countries that have not repatriated North Korean laborers; and

(3) a list of countries that are unable or unwilling to repatriate North Korean laborers.

Subtitle D—Measures to Address the Threats Posed by and Capabilities of the Democratic People's Republic of Korea

SEC. 20. AUTHORIZATION TO TERMINATE OR REDUCE UNITED STATES FOREIGN RELATIONS WITH COUNTRIES ENABLING THE DEMOCRATIC PEOPLES REPUBLIC OF KOREA.

(a) IN GENERAL.—The Secretary of State may take such actions as are necessary to induce countries on the list required by section 21(b)(3) to take measures to diplomatically and economically pressure the Democratic People's Republic of Korea.

(b) ACTIONS INCLUDED.—Actions described in subsection (a) may include:

(1) reduction of diplomatic presence in the United States of countries on the list required by section 21(b)(3); and

(2) reduction of the diplomatic presence of the United States in countries on the list described in paragraph (1).

(c) CONSULTATION.—Not less than 15 days before taking any action under subsection (a), the Secretary shall consult with the appropriate congressional committees with respect to the action.

(d) SENSE OF CONGRESS.—It is the sense of Congress that sanctions with respect to the Democratic People's Republic of Korea, including by, among other things, the sale, transfer, or retransfer of rocket fuels, and other fuels or their chemical precursors to the Democratic People's Republic of Korea, are necessary to effectively deter the Democratic People's Republic of Korea from engaging in strategic relationships with the United States.

SEC. 22. AUTHORIZATION TO TERMINATE OR REDUCE UNITED STATES FOREIGN ASSISTANCE TO COUNTRIES ENABLING THE DEMOCRATIC PEOPLES REPUBLIC OF KOREA.

(a) IN GENERAL.—The Secretary of State may terminate or reduce United States foreign assistance to countries on the list required by section 21(b)(3).

(b) ASSISTANCE INCLUDED.—Assistance terminated or reduced under subsection (a) may include:

(1) assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq., relating to the Economic Support Fund); and

(2) military assistance provided pursuant to section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing Program); and

(3) assistance provided under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq., relating to international military education and training).

(c) CONSULTATION.—Not less than 15 days before taking any action under subsection (a), the Secretary shall consult with the appropriate congressional committees with respect to the action.

(d) SENSE OF CONGRESS.—It is the sense of Congress that sanctions with respect to the Democratic People's Republic of Korea hinder the deepening of strategic relationships with the United States.

SEC. 23. AMENDMENT OF REPORTING REQUIREMENT REGARDING STRATEGY TO END USE OF NORTH KOREAN HUMAN RIGHTS.

(1) IN GENERAL.—Section 362(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241b) is amended—

(A) by inserting “(5) for each country on the list required by section 21(b)(3)” after “(4) for each country on the list required by section 21(b)”;

(B) by inserting “a list of countries that have not repatriated North Korean laborers;” after “a list of countries that have not repatriated North Korean workers;”;

(C) by inserting “and” after “a list of countries that have not repatriated North Korean workers;”;

(D) by inserting “a list of countries that have not repatriated North Korean laborers;” after “a list of countries that have not repatriated North Korean workers;”; and

(E) by inserting “the Committee on Foreign Relations and the Committee on Appropriations of the Senate;” after “the Committee on Foreign Relations;”.

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.
S.C. 45. SANCTIONS WITH RESPECT TO SOURCING, MANUFACTURE, TRADE, OR DISTRIBUTION OF ILLICIT SUBSTANCES.

Section 194(a)(6) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)(6)) is amended by striking "narcotics trafficking" and inserting "trafficking, manufacturing, trade, or distribution of methamphetamines, narcotics including opioids such as fentanyl, and other illicit substances."

S.C. 46. REPORT ON CERTAIN ENTITIES CONDUCTING BUSINESS WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) In General.—Not later than 90 days after the date of the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A list of entities that, during the 12-month period preceding the report, have imported or exported any goods, services, or technology to or from the Democratic People's Republic of Korea valued at more than $100,000.

(2) A list of entities in the People's Republic of China, the Russian Federation, and other countries outside of the Democratic People's Republic of Korea that are known to employ significant numbers of laborers from the Democratic People's Republic of Korea.
(c) Briefing.—The President shall brief the appropriate congressional committees, in a classified setting if necessary, not later than 30 days after the delivery of the report required by subsection (b) on whether the criteria identified in subsection (a)(2) meet the criteria for designation for the imposition of sanctions under section 510(f) of title 31, United States Code. The briefing required by subsection (b) shall—

1. To the extent possible, provide an estimate of the amount of fiat currency that the Democratic People’s Republic of Korea has been able to generate as of the date of the briefing through conversion of virtual currency obtained by illicit means including cyberattacks.

2. Describe known pathways through which the Democratic People’s Republic of Korea executes such conversions, with an emphasis on identifying virtual currency exchanges used by the Democratic People’s Republic of Korea or its agents; and

3. Cover any known instances of purchases of goods or services by the Democratic People’s Republic of Korea using virtual currency without converting that currency to fiat currency before the purchase.

SEC. 52. BRIEFING ON CROSS-BORDER FLOWS OF FENTANYL AND OTHER ILLICIT SUBSTANCES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall brief the appropriate congressional committees described in section 51 of the Comprehensive National Security Act of 2018, as added by section 206 of the Black Sea Stream Act of 2018 on transactions that support the proliferation of weapons of mass destruction or otherwise support the Democratic People’s Republic of Korea.

(b) Elements.—Each briefing required by subsection (a) shall—

1. Provide estimates of the amounts of illicit substances imported into the Democratic People’s Republic of Korea or its agents; and

2. Describe known pathways through which the Democratic People’s Republic of Korea procures or purchases illicit substances, with particular focus on exports to the Democratic People’s Republic of Korea.

3. Assess the extent to which such pathways differ from pathways used by the Democratic People’s Republic of Korea to export arms and other goods.
(6) A summary of official communications by United States Government officials or foreign government officials, or other persons acting on behalf of those officials, regarding the United States citizen, including efforts to secure the release of the United States citizen.

(c) BRIEFINGS.—During periods between briefings under subsection (a), the Secretary of State shall brief the appropriate congressional committees on any significant activities of the status and well-being of any United States citizen detained by the Government of the Democratic People’s Republic of Korea.

SEC. 54. EXCLUSION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—No provision affecting the importation of goods by a United States Government official or any member of the Armed Forces of the United States may be applied to the importation of goods.

(b) DEFINITION.—In this section, the term ‘good’ means any article, natural or manufactured, including any raw or manufactured product, including inspection and test equipment, and excluding technical data.

SEC. 55. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term ‘appropriate congressional committees’ means—

(1) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Foreign Affairs Committee and the Committee on Financial Services of the House of Representatives.

SEC. 56. EFFECTIVE DATE.

This subtitle shall take effect on the date of the enactment of this Act and apply with respect to conduct engaged on or after such date of enactment.

Subtitle E—Miscellaneous

SEC. 61. AUTHORITY TO CONSOLIDATE REPORTS AND BRIEFINGS.

Any report or briefings required to be submitted to Congress under this title or any amendments made by this title that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report or briefing. The consolidated report or briefing shall contain all information required under this title or any amendment made by this title with respect to the reports comprising such consolidated report or briefing.

SA 2075. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1. GREATESTER SAGE-GROUSE PROTECTION AND RECOVERY.

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

(1) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(b) DEFINITIONS.—In this section:

(1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ‘Federal resource management plan’ means—

(A) a land use plan prepared by the Bureau of Land Management pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land and resource management plan prepared by the Forest Service for National Forest System land pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) GREATER SAGE-GROUSE.—The term ‘greater sage-grouse’ means a sage-grouse of the species Centrocercus urophasianus.

(3) STATE MANAGEMENT PLAN.—The term ‘State management plan’ means a State-approved plan for the protection and recovery of the greater sage-grouse.

(c) PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.

(1) ENDANGERED SPECIES ACT OF 1973 FINDINGS.

(A) DELAY REQUIRED.—The Secretary of the Interior may not modify or invalidate the final rule of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled ‘Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (Centrocercus urophasianus) as an Endangered Species’ (80 Fed. Reg. 59658 (October 2, 2015)) during the period beginning on the date of enactment of this Act and ending on September 30, 2029.

(B) EFFECT OF THE LAWS.—The delay required under subparagraph (A) is and shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(C) EFFECT ON CONSERVATION STATUS.—The conservation status of the greater sage-grouse shall be considered not to warrant listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) on the date of enactment of this Act and ending on September 30, 2029.

(2) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.

(A) PROHIBITION ON WITHDRAWAL AND MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—On notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not make, modify, or extend any withdrawal, amendment, or otherwise modify any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for, as specified by the Governor in the notification, a period of not fewer than 5 years beginning on the date of the notification.

(B) RETROACTIVE EFFECT.—In the case of any State that provides notification under subparagraph (A), if any withdrawal was made, modified, or extended any amendment was made, or otherwise modified any Federal resource management plan applicable to Federal land in the State was issued after June 1, 2014, and the withdrawal, amendment, or modification was in effect immediately before the withdrawal, amendment, or modification was made, the withdrawal, amendment, or modification shall apply instead with respect to the management of the greater sage-grouse and the habitat of the greater sage-grouse to the extent consistent with the State management plan.

(C) DETERMINATION OF INCONSISTENCY.—Any determination regarding whether a withdrawal, amendment, or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(3) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action consistent with a State management plan.

(4) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through fiscal year 2029, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the implementation by the Secretaries of, and the effectiveness of, systems to monitor the status of greater sage-grouse on Federal land under the jurisdiction of the Secretaries.

(5) JUDICIAL REVIEW.—Notwithstanding any other provision of law (including regulations), this subsection, including any determination made under paragraph (2)(C), shall not be subject to judicial review.

SEC. 1. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

(B) the International Space Station is a strategic national security asset vital to the continued space exploration and scientific advancements of the United States; and

(C) the space station should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(2) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) MAINTAINING A NATIONAL LABORATORY IN SPACE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 7006 of title 51, United States Code)—

(i) benefits the scientific community and promotes commerce in space;

(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as “NASA”) and other Federal agencies, the private sector, and research groups and universities;

(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment;

(iv) advances human knowledge and international cooperation; and

(B) the International Space Station is decommissioned, the United States should maintain a national microgravity laboratory in space;

(C) in maintaining a national microgravity laboratory described in subparagraph (B), the United States should make appropriate accommodations for different types of ownership and operational structures for the International Space Station and future space stations;

(D) the national microgravity laboratory described in subparagraph (B) should be maintained beyond the date on which the International Space Station is decommissioned, in cooperation with international space partners to the extent practicable; and

(E) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(2) REPORT.—The Administrator of NASA shall, in coordination with the National Science Foundation and other Federal agencies as the Administrator considers relevant, report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Appropriations of the Senate a briefing that describes the results of the review.

(3) CONTENTS.—A notification provided under paragraph (1)—

(A) on the public internet website of the Department of Defense, including a statement of the Secretary of Defense concerning the Department’s national Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(4) DEPARTMENT OF DEFENSE ACTIVITIES.—

(A) In general.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking “2024” and inserting “2030”.

(B) by striking “2024” and inserting “2026”; and

(C) by striking “2024” and inserting “2026”.

(5) MAINTAINING USE THROUGH AT LEAST 2032.—Section 70007 of title 51, United States Code, is amended—

(A) in the section heading, by striking “2024” and inserting “2032”; and

(B) by striking “2024” each place it appears and inserting “2030”.

(6) TRANSITION PLAN REPORTS.—Section 5111(c)(2) of title 51, United States Code, is amended—

(A) in the matter preceding subparagraph (A), by striking “2023” and inserting “2026”; and

(B) in subparagraph (J), by striking “2026” and inserting “2030”.

(7) EXEMPTION FROM THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT.—Section 7(c)(1) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S. 1701 note) is amended, in the undesignated matter following subparagraph (B), by striking “December 31, 2020” and inserting “December 31, 2030.”

(8) DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.—

(A) In general.—Section 659(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 50 U.S. 1501 note) is amended—

(i) by inserting “nor is accountability” and inserting “unaccountable”;

(ii) by striking “nor is accountability” and inserting “accountability is not”; and

(B) by inserting “for what, by law, the agency is responsible” after “under this Act”.

(9) NOTIFICATION OF VIOLATION.—Section 202 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

“(d) NOTIFICATION OF FINAL AGENCY ACTION.—

(A) in GENERAL.—Not later than 90 days after the date on which an event described in paragraph (2) occurs with respect to a finding of discrimination (including retaliation), the head of the Federal agency subject to the finding shall provide notice—

(A) on the public internet website of the agency, in a clear and prominent location linked directly from the home page of that website;

(B) stating that a finding of discrimination (including retaliation) has been made; and

(C) which shall remain posted for not less than 1 year.

(2) EVENTS DESCRIBED.—An event described in this paragraph is any of the following:

(A) All appeals of a final action by a Federal agency involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

(B) All appeals of a final decision by the Equal Employment Opportunity Commission involving a finding of discrimination (including if the finding included a finding of retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

(C) A court of jurisdiction issues a final judgment involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a).

(d) REPORTING REQUIREMENTS.—

(A) IN GENERAL.—Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended, in the matter preceding paragraph (1)—

(i) by inserting “Homeland Security and” after “Governmental Affairs’’;

(ii) by striking “on Government Reform” and inserting “on Oversight and Reform’’;

(iii) by inserting “any Member of Congress” before “the Equal Employment Opportunity Commission’’; and

(iv) by inserting “in an electronic format prescribed by the Director of the Office of Personnel Management,” after “an annual report’’.

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

(C) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section 203(a) may be submitted in an
SEC. 108. NO LIMITATION ON ADVICE OR COUNSEL.

"Nothing in this title shall prevent a Federal agency or a subcomponent of a Federal agency, or the Department of Justice, from providing advice or counsel to employees of that agency (or subcomponent, as applicable) in the resolution of a complaint.

SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF AGENCY.

"The head of each Federal agency’s Equal Employment Opportunity Program shall report directly to the head of the agency.

SEC. 404. REFACTIONS OF FINDINGS OF DISCRIMINATION.

(a) EEOC FINDINGS OF DISCRIMINATION.—

(1) IN GENERAL.—Not later than 30 days after a finding that the Equal Employment Opportunity Commission (referred to in this section as the ‘Commission’) receives, or should have received, a Federal agency report required under section 203(c), the Commission may refer the report to the Office of Special Counsel if the Commission determines that the Federal agency did not take appropriate action with respect to the finding or if the head of the agency is the subject of the report.

(2) NOTIFICATIONS.—The Commission shall—

(A) notify the applicable Federal agency if the Commission refers a matter to the Office of Special Counsel under paragraph (1); and

(B) with respect to a fiscal year, include—

(i) the number of referrals made under paragraph (1) during that fiscal year; and

(ii) a brief summary of each referral described in clause (i).

(b) NONDISCLOSURE AGREEMENT LIMITATIONS.—Section 2302(b)(13) of title 5, United States Code, is amended—

(1) by striking ‘‘(10)’’ and inserting ‘‘(11)’’.

(2) in subparagraph (A), as so designated, by striking ‘‘(ii)’’ and inserting—

(A) does not’’; and

(3) by adding at the end the following:

‘‘(iii) a brief summary of each referral described in clause (i) of subparagraph (A) during the fiscal year that ended with the date of the report.’’.

SEC. 207. COMPLAINT TRACKING.

‘‘Not later than 1 year after the date of enactment of the Elijah E. Cummings Federal Employers’ Antidiscrimination Act of 2019, each Federal agency shall establish a system to track each complaint of discrimination arising under section 2302(b)(1) of title 5, United States Code, adjudicated through the Equal Employment Opportunity process from the filing of a complaint with the Federal agency to resolution of the complaint, including whether a decision has been made regarding disciplinary action as the result of a finding of discrimination.

SEC. 109. NOTATION IN PERSONNEL RECORD.

‘‘If a Federal agency takes an adverse action covered under section 7512 of title 5, United States Code, against a Federal employee for an act of discrimination (including retaliation), the Commission may refer the matter to which the Commission was provided notice of by the Federal agency and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 873. SENSE OF SENATE ON IMPORTANCE OF MAINTAINING A STABLE DEFENSE SUPPLY SOURCE AND PROMOTING SMALL BUSINESS SUPPLIERS.

It is the sense of the Senate that—
SA 2079. Mr. JOHNSON (for himself and Mr. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 1235. SENSE OF SENATE ON ADMISSION OF UKRAINE TO THE NORTH ATLANTIC TREATY ORGANIZATION ENHANCED OPPORTUNITIES PARTNERSHIP PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) On August 24, 1991, Ukraine became a free and independent country after declaring its independence from the Soviet Union.

(2) The Russian Federation is required to respect the independence and territorial integrity of Ukraine through its signed commitments to the 1994 Budapest Memorandum, the 1975 Helsinki Accords, and the Charter of the United Nations.

(3) On February 8, 1994, Ukraine was among the first post-Soviet states to join the North Atlantic Treaty Organization’s Partnership for Peace, recognizing that the Soviet Union’s withdrawal from the Warsaw Pact would result in a power vacuum in Europe.

(4) The North Atlantic Treaty Organization and Ukraine have continuously deepened their cooperation through the establishment of—

(A) the North Atlantic Treaty Organization-Ukraine Charter on a Distinctive Partnership and the North Atlantic Treaty Organization-Ukraine Commission in 1997; and

(B) the North Atlantic Treaty Organization-Ukraine Joint Working Group on Defense Reform in 1998; and

(C) the North Atlantic Treaty Organization-Ukraine Action Plan in 2002.

(5) In the Bucharest Summit Declaration of April 2008, heads of state and governments of North Atlantic Treaty Organization member countries declared, “NATO welcomes Ukraine’s and Georgia’s Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO.”

(6) Beginning on November 21, 2013, and ending on February 22, 2014, during a period that became known as the Revolution of Dignity, the people of Ukraine peacefully protested the election of Petro Poroshenko as President.

(7) On May 25, 2014, President Petro Poroshenko was elected democratically to become the President of Ukraine based on a pro-European Union and pro-North Atlantic Treaty Organization platform, which laid the foundation for progress on the European Union Association Agreement.

(8) In response to Ukraine’s Revolution of Dignity, the United States launched an overt and covert military campaign against Ukraine, illegally occupied Ukraine’s Crimean Peninsula, and instigated war in eastern Ukraine, resulting in the deaths of approximately 14,000 Ukrainians.

(9) The Russian Federation’s invasion and illegal occupation of the Crimean Peninsula and instigation of conflict in eastern Ukraine in 2014 was widely viewed as an effort to stifle pro-democracy and pro-Western movements across Ukraine in the wake of the Revolution of Dignity.

(10) At the 2014 Wales Summit, the North Atlantic Treaty Organization adopted the Enhanced Opportunities Partnership Program as a component of the North Atlantic Treaty Organization Partnership Interoperability Initiative, which would encourage, facilitate, and sustain Ukraine’s contributions to the North Atlantic Treaty Organization.

(11) In 2016, as a result of the Warsaw Summit, the North Atlantic Treaty Organization pledged additional training and technical support for the military forces of Ukraine and endorsed a comprehensive assistance package that included “tailored capability and capacity building measures . . . to enhance Ukraine’s resilience against a wide array of threats, including hybrid threats”.

(12) In 2017, in the wake of Russia’s continued aggression in the eastern region of Ukraine and the continued occupation of Crimea, the Government of Ukraine requested cooperation with the Russian Federation and voted to make cooperation with the North Atlantic Treaty Organization a foreign policy priority.

(13) On September 1, 2017, the Ukraine-European Union Agreement entered into force.

(14) On April 21, 2019, the new president of Ukraine, Volodymyr Zelensky—

(A) reaffirmed to European Union and North Atlantic Treaty Organization leaders that Ukraine’s strategic course was to achieve full membership in the European Union and the North Atlantic Treaty Organization; and

(B) championed the adoption of an amendment to the Constitution of Ukraine declaring that the Government of Ukraine is responsible for implementing such strategic course toward membership in the European Union and the North Atlantic Treaty Organization.

(15) In January 2020, the Government of Ukraine requested that the North Atlantic Treaty Organization grant Ukraine the status of an Enhanced Opportunities Partner.

(16) Since Ukraine’s Revolution of Dignity and in recognition of the United States-Ukraine strategic partnership, the United States has—

(A) provided Ukraine with more than $1,600,000,000 in security assistance, including critical defense items;

(B) collaborated closely with the military forces of Ukraine; and

(C) imposed strong sanctions on the Russian Federation in response to continued Russian Federation aggression in Ukraine.

(17) On June 12, 2020, the North Atlantic Treaty Organization went into the Enhanced Opportunities Partnership program, joining Australia, Finland, Sweden, Georgia, and Jordan.

(b) Officers and Members.—It is the sense of Congress that—

(1) applauds the progress of Ukraine and the Revolution of Dignity with respect to strengthening the rule of law and combating corruption, aligning with Euro-Atlantic norms and standards; and improving Ukraine’s military combat readiness and interoperability with the North Atlantic Treaty Organization;

(2) affirms the unwavering commitment of the United States to—

SEC. 240. ELEMENT IN ANNUAL REPORTS ON CYBERSECURITY AND TECHNOLOGY ACTIVITIES ON WORK WITH ACADEMIC INSTITUTIONS ON HIGH-ORITY CYBERSECURITY RESEARCH ACTIVITIES IN DEPARTMENT OF DEFENSE CAPABILITIES.

Section 240 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1291) is amended by adding at the end the following new subparagraph:

(‘1) Efforts to work with academic consortia on high priority cybersecurity research activities.”.

SA 2081. Mr. PORTMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

(2) small businesses within the defense supply base that includes small businesses; and

(3) the Department of Defense should avoid, to the extent possible, drastic acquisition program changes in order to provide more predictability and opportunities for defense suppliers, particularly small businesses, to adapt.
(A) supporting the continued efforts of Ukraine to implement democratic and free market reforms;
(B) restoring the territorial integrity of Ukraine and;
(C) providing additional lethal and non-lethal security assistance to strengthen the defense capabilities of Ukraine and to deter further aggression against Ukraine;
(3) condemns the Russian Federation’s on-going use of force and other malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activities that seek to undermine Ukraine and destabilize Europe; and
(4) congratulates Ukraine on its inclusion in the North Atlantic Treaty Organization Enhanced Opportunities Partnership program and on the establishment of a roadmap to full NATO accession for Ukraine.

SA 2082. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. APPLICATION OF DISTANCE REQUIREMENTS FOR CRITICAL ACCESS HOSPITALS.

Section 1620(b) of the Social Security Act (42 U.S.C. 1395i–4(h)) is amended by adding at the end the following new paragraph:

"(4) APPLICATION OF DISTANCE CRITERION.—
In the case of a facility that was designated as a critical access hospital during 2016, and for which there was a change of ownership during 2018, if the designation relied on incorrect information received from a State about a road as being secondary in order to meet the distance criterion described in subsection (c)(2)(B)(i)(I), the facility shall be deemed to meet such distance criterion on and after the date of such 2016 designation."

SA 2083. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 12. SENSE OF SENATE ON UNITED STATES-ISRAEL COOPERATION ON PRECISION-GUIDED MUNITIONS.

It is the sense of the Senate that—
(1) the Department of Defense has cooperated extensively with Israel to assist in the procurement of precision-guided munitions, and such cooperation represents an important example of robust United States support for Israel;
(2) to the extent practicable, the Secretary of Defense should take further measures to expedite procurement of precision-guided munitions to and
(3) regularized annual purchases of precision-guided munitions by Israel, in accordance with existing requirements and practices regarding the export of defense articles and defense services, coordinated with the United States Air Force annual purchase of precision-guided munitions, would enhance the security of both the United States and Israel by—
(A) promoting a more efficient use of defense resources by taking advantage of economies of scale;
(B) enabling the United States and Israel to advance the requirements for precision-guided munitions in a timely and flexible manner; and
(C) encouraging the defense industrial base to maintain production lines of precision-guided munitions.

SA 2084. Mr. LEES (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 333. PROCUREMENT OF MODERN, COMPATIBLY AVAILABLE, AND OFF-THE-SHELF HEALTH AND COMMUNICATIONS SYSTEM FOR THE UH-72A LAKOTA HELICOPTER.

The Secretary of the Army shall procure a modern, commercially available, off-the-shelf health and communications system for the UH-72A Lakota helicopter to upgrade the existing communications and health monitoring system of such helicopter with a next generation satellite communications system that—
(A) is digital, lightweight, and beyond line-of-sight; and
(B) has a push-to-talk radio; and
(C) has voice to internet, real-time fleet health monitoring, and recording capabilities.

SA 2086. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:
(A) each member state of the North Atlantic Treaty Organization;
(B) each country party to the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), done at Rio de Janeiro September 2, 1947, and entered into force December 3, 1948 (TIAS 1838);
(C) Australia;
(D) Austria;
(E) Japan;
(F) New Zealand;
(G) The Philippines;
(H) South Korea.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(c) APPROPRIATE COMMITTEES OF CONGRESS DESIGNED.—In this section, the term ‘appropriate committees of Congress’ means—
(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and
(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2085. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 333. PROCUREMENT OF MODERN, COMMERCIALLY AVAILABLE, AND OFF-THE-SHELF HEALTH AND COMMUNICATIONS SYSTEM FOR THE UH-72A LAKOTA HELICOPTER.

The Secretary of the Army shall procure a modern, commercially available, off-the-shelf health and communications system for the UH-72A Lakota helicopter to upgrade the existing communications and health monitoring system of such helicopter with a next generation satellite communications system that—
(A) is digital, lightweight, and beyond line-of-sight;
(B) has a push-to-talk radio; and
(C) has voice to internet, real-time fleet health monitoring, and recording capabilities.
SEC. 4. DEPARTMENT OF COMMERCE STUDY ON STATUS OF SEMICONDUCTOR TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) In General.—Commencing not later than 120 days after the date of the enactment of this section, the Secretary of Commerce and the Secretary of Homeland Security shall undertake a survey, using authorities in section 705 of the Defense Production Act (50 U.S.C. 4531 et seq.) to establish and enhance a domestic production capability for semiconductor technologies and related technologies, if funding is available for that purpose.

(b) Consultation.—The President shall develop the plan required by paragraph (1) in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Commerce, and appropriate stakeholders in the private sector.

SA 2088. Mr. CORNYN submitted an amendment intended to be agreed to by him by the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 45. PROHIBITION ON PROVISION OF GRANT FUNDS TO ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTERPRISES.

Section 47110 of title 49, United States Code, is amended by adding at the end the following:

"(j) PROHIBITION ON PROVISION OF GRANT FUNDS TO ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTERPRISES.—"

"(1) IN GENERAL.—Beginning on the date that is 30 days after the date of the enactment of this section, amounts provided as project grants under this subchapter may not be used to enter into a contract described in paragraph (2) with any entity on the list required by paragraph (3).

"(2) CONTRACT DESCRIBED.—A contract described in this paragraph is a contract or other agreement for the procurement of infrastructure or equipment for a passenger boarding bridge at an airport.

"(3) LIST REQUIRED.—""(i) Not later than 30 days after the date of the enactment of this section, and thereafter as required by subparagraphs (B) and (C), the Administrator of the Federal Aviation Administration shall, based on information provided by the United States Trade Representative and the Attorney General, make available to the public a list of entities that—""

"(II) are owned or controlled by, or receive subsidies from, the government of a country identified by the Trade Representative under subsection (a)(1) of section 182 of the Trade Act of 1974 (19 U.S.C. 2242) in the most recent report required by that section; and

"(bb) subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416); and

"(BB) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States; or

"(ii) own or control, are owned or controlled by, are under common ownership or control with, or are successor to, an entity described in clause (I); and

"(B) UPDATES TO LIST.—The Administrator shall update the list required by subparagraph (A) based on information provided by the Trade Representative and the Attorney General—""
“(i) not less frequently than every 90 days during the 180-day period following the initial publication of the list under subparagraph (A); and

“(ii) not less frequently than annually during the 5-year period following the 180-day period described in clause (i).

(C) CONTINUATION OF REQUIREMENT TO UPDATE LIST—

“(1) IN GENERAL.—Not later than the end of the 5-year period described in subparagraph (B)(ii), the Administrator shall make a determination, to the Secretary of Defense, whether continuing to update the list required by subparagraph (A) is necessary to carry out this subsection.

“(2) EFFECT OF DETERMINATION THAT UPDATES ARE NECESSARY.—If the Administrator determines under clause (1) that continuing to update the list required by subparagraph (A) is necessary, the Administrator shall continue to update the list, based on information provided by the Trade Representative and the Attorney General, not less frequently than annually.

“(iii) EFFECT OF DETERMINATION THAT UPDATES ARE NOT NECESSARY.—If the Administrator determines under clause (1) that continuing to update the list required by subparagraph (A) is not necessary, the Administrator shall, not later than 90 days after making the determination, submit to Congress a report on the determination and the reasons for the determination.”.

SA 2089. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 12 . BRIEFING TO THE GOVERNMENT OF INDIA ON FIFTH-GENERATION FIGHTER JETS AND REPORT TO CONGRESS ON UNITED STATES-INDIA DEFENSE COOPERATION.

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Government of India a briefing on the fifth-generation fighter jet program of the United States.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the briefing required by subsection (a), the Secretary shall provide to Congress a report on the topics covered in the briefing and recommendations for increasing cooperation between the United States and India as India develops its own fifth-generation fighter jet.

SA 2090. Mr. CORNYN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, insert the following:

SEC. 12 . ELIGIBILITY FOR FOREIGN MILITARY SALES AND EXPORT STATUS UNDER ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

“(1) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b)(1), 36(b)(2), 36(b)(6), 62(1) and 63(a)(2), by inserting “India,” before “or New Zealand” each place it appears;

“(2) in section 3(b)(2), by inserting “the Government of India,” before “or the Government of New Zealand”; and

“(3) in sections 21(b)(1)(A) and 21(b)(2), by inserting “India,” before “or Israel” each place it appears.

SA 2091. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 13 . CENTRAL AMERICA STRATEGY.

(a) SHORT TITLE.—This section may be cited as the “Central America Strategy Act of 2020”.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on the Judiciary of the Senate;

(6) the Committee on Finance of the Senate;

(7) the Committee on Appropriations of the Senate;

(8) the Committee on Commerce, Science, and Transportation of the Senate;

(9) the Caucus on International Narcotics Control of the Senate;

(10) the Committee on Foreign Affairs of the House of Representatives;

(11) the Committee on Armed Services of the House of Representatives;

(12) the Committee on Homeland Security of the House of Representatives;

(13) the Permanent Select Committee on Intelligence of the House of Representatives;

(14) the Committee on the Judiciary of the House of Representatives;

(15) the Committee on Energy and Commerce of the House of Representatives; and

(16) the Committee on Appropriations of the House of Representatives.

(c) STRATEGY.—

(1) DEVELOPMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, the Secretary of the Treasury, the Secretary of National Intelligence, the Attorney General, the Secretary of Commerce, the Administrator of the United States Agency for International Development, the Director of the Office of National Drug Control Policy, the Chief Executive Officer of the Development Finance Corporation, and the Chief Executive Officer of the Millennium Challenge Corporation shall develop, consistent with the safeguards protecting certain national security information from unauthorized disclosure, and submit to the appropriate congressional committees a strategy for—

(A) reducing the flow of narcotics into the United States and curtailing the influence of transnational criminal organizations through law enforcement and cooperation with international partners;

(B) strengthening democratic institutions, the rule of law, anti-corruption policies, and human rights efforts in Central America; and

(C) curtailing unauthorized immigration to the United States, and by addressing the root causes of migration in Central America.

(2) ACTIVITIES.—The strategy developed under this subsection shall include—

(A) supporting anti-corruption efforts that strengthen the capacities of law enforcement, the justice sector, and financial institutions;

(B) establishing and reinforcing regional counternarcotics trafficking initiatives to interdict flow of narcotics, including cocaine, fentanyl, and fentanyl precursors and analogs, being smuggled into the United States;

(C) establishing a multilateral Commission Against Illicit Opioids, Narcotics, and International Organized Crime among the United States, Mexico, and Central America and South America to regularly review the results of enhanced law enforcement and justice cooperation;

(D) creating a regional Commission for the Northern Triangle to coordinate anti-corruption initiatives that strengthen domestic institutions and provide technical assistance to local prosecutors;

(E) supporting national, local, and community-based crime and violence prevention efforts;

(F) assessing port security and opportunities to promote trade through enhanced partnership, leadership training, technology modernization, and trusted trader programs;

(G) establishing and reinforcing reintegration programs for repatriated persons that reduce the likelihood for repeated unauthorized migration to the United States;

(H) developing a market-based approach to investment and development that identifies opportunities for private investment and roles for the United States International Development Finance Corporation, Millennium Challenge Corporation, and the United States Agency for International Development;

(I) promoting the establishment and supervision of effective tax collection and enforcement systems;

(J) identifying opportunities for regional and international partnerships;

(K) providing a comprehensive assessment of the current sanctions regime and making recommendations for the most efficient use of sanctions to deter corruption, insecurity, and the key drivers of migration;

(L) assessing the resources necessary to promote the strategy; and

(M) providing legislative recommendations that are necessary to implement the strategy.

(d) REPORT.—In conjunction with the submission of the strategy under subsection (c), the Secretary of State shall submit a comprehensive report to the appropriate congressional committees that—

(1) identifies all United States aid programs benefitting Central American countries;

(2) indicates which of these programs are consistent with the strategy under subsection (c);

(3) provides measurable outcomes regarding the progress made by each such program; and
against Federal law enforcement officers Jaime Zapata and Victor Avila, who were engaged in and performing official duties in Mexico, a Federal court concluded that Congress did not interpret section 1114 of title 18, United States Code, applies extraterritorially; and

(3) Congress can and should make clear that section 1114 of title 18, United States Code, applies extraterritorially.

(c) PROTECTION OF OFFICERS AND EMPLOYEES.—Section 1114 of title 18, United States Code, is amended—

(1) by inserting ‘‘(a) IN GENERAL.—’’ before ‘‘Whoever’’; and

(2) by adding at the end the following—

‘‘(b) EXTRATERRITORIAL JURISDICTION.— There is extraterritorial jurisdiction over the conduct prohibited by this section.’’.

SA 2094. Ms. FISCHER submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 611. CONTINUATION OF PAID PARENTAL LEAVE UPON DEATH OF CHILD.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the regulations prescribed pursuant to subsections (i) and (j) of section 1114 of title 18, United States Code, to provide that the eligibility of primary and secondary caregivers for paid parental leave that has already been approved shall not terminate upon the death of the child for whom such leave is taken.

SA 2093. Mr. CORNYN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end appropriate place, insert the following:

SEC. 610. JAIME ZAPATA AND VICTOR AVILA FEDERAL LAW ENFORCEMENT PROTECTION ACT.

(a) Short Title.—This section may be cited as the ‘‘Jaime Zapata and Victor Avila Federal Law Enforcement Protection Act’’.

(b) Sense of Congress.—It is the sense of Congress—

(1) for decades—

(A) officers and employees of the United States Government have dutifully and faithfully served the United States at home and abroad, including in situations that place them at serious risk of harm;

(B) Federal law has reflected strong Federal interest in promoting the efforts of the United States Government overseas and protecting those officers and employees serving abroad by ensuring that the United States Government can execute any legal authorities, including drug traffickers and terrorists, who have harmed or attempted to harm Federal officers and employees while the officers and employees are engaged in or on account of the performance of their official duties internationally; and

(C) Federal courts, including the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Ninth Circuit, and the United States Court of Appeals for the Eleventh Circuit, have interpreted section 1114 of title 18, United States Code, to apply extraterritorially to protect officers and employees of the United States while the officers and employees are serving abroad;

(2) recently, in a case involving a violent attack by members of a violent drug cartel

against Federal law enforcement officers Jaime Zapata and Victor Avila, who were engaged in and performing official duties in Mexico, a Federal court concluded that Congress did not interpret section 1114 of title 18, United States Code, applies extraterritorially; and

(3) Congress can and should make clear that section 1114 of title 18, United States Code, applies extraterritorially.

(c) PROTECTION OF OFFICERS AND EMPLOYEES.—Section 1114 of title 18, United States Code, is amended—

(1) by inserting ‘‘(a) IN GENERAL.—’’ before ‘‘Whoever’’; and

(2) by adding at the end the following—

‘‘(b) EXTRATERRITORIAL JURISDICTION.— There is extraterritorial jurisdiction over the conduct prohibited by this section.’’.

SA 2094. Ms. FISCHER submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 311. SUPPORT AND ENHANCEMENT OF DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.

(a) Assistance to Owners and Operators.—

(1) in General.—Subject to the availability of funds provided in any appropriation Act enacted on or after the date of enactment of this Act, the Secretary of Energy may use those funds to assist owners and operators of defense critical electric infrastructure (as defined in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1)) in planning or installing, for a purpose described in paragraph (2) —

(A) new generation, transmission, and distribution assets; or

(B) resiliency upgrades to existing generation, transmission, and distribution assets.

(2) Purposes Described.—A purpose referred to in paragraph (1) is—

(A) to enhance the power supply for a critical defense facility designated by the Secretary under section 215A(c) of the Federal Power Act (16 U.S.C. 824o–1(c)) (an ‘‘owner’’), including—

(i) with respect to generation, transmission, and distribution, as applicable; or

(B) to improve the resiliency of the applicable defense critical electric infrastructure against—

(i) physical threats;

(ii) cyber threats; and

(iii) threats posed by extreme weather events or natural disasters, such as hurricanes, tornadoes, floods, and wildfires; or

(iv) threats similar or closely related to the threats described in clauses (i) through (iii), as determined by the Secretary of Energy.

(3) Annual Report.—Beginning with fiscal year 2021, the Secretary of Energy shall submit to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Energy and Commerce of the House of Representatives an annual report, in classified form, describing each project planned, executed, or completed with assistance provided under paragraph (1).

(b) Duration of Critical Electric Infrastructure Information Designation.—

(1) in General.—Section 215A(d) of the Federal Power Act (16 U.S.C. 824o–1(d)) is amended—

(A) by striking paragraph (9); and

(B) by redesigning paragraphs (10) and (11) as paragraphs (9) and (10), respectively.

(2) Application to Existing Designations.—Any information designated as critical electric infrastructure information under section 215A of the Federal Power Act (16 U.S.C. 824o–1) as of the date of enactment of this Act, and any information designated as critical electric infrastructure information for a period of not more than 5 years, shall retain that designation until—

(A) the Secretary of Energy or the Federal Energy Regulatory Commission, as applicable, removes the designation in accordance with subsection (d)(9) of that section (as redesignated by paragraph (a)); or

(B) a court determines that the information was improperly designated as critical electric infrastructure information under subsection (d)(10) of that section (as redesignated by paragraph (1)(B)).

SA 2095. Mr. PERDUE (for himself, Mrs. LOEFFLER, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 411. REMOVING LEGAL BARRIERS RELATING TO THE FEDERAL GOVERNMENT DURING TIMES OF EMERGENCY OR TO PREMOTE NATIONAL SECURITY.

(a) Definitions.—In this section—

(1) Authorized Official.—The term ‘‘authorized official’’ means—

(A) the President;

(B) the head of a responsible Federal department or agency (including the Secretary of Energy, the Secretary of Homeland Security, the Secretary of Defense, the Attorney General, and the Director of National Intelligence); or

(C) a designee of an officer described in subparagraph (A) or (B).

(2) Covered Activity.—The term ‘‘covered activity’’ means any action taken, or refrained from being taken, by a covered entity pursuant to a covered order.

(3) Covered Entity.—

(A) in General.—The term ‘‘covered entity’’ means a Federal, State, local, Tribal, or territorial entity or any entity (including a parent, subsidiary, owner, operator, or member of the entity) that owns or operates critical infrastructure, including an entity in one of the following sectors described in Presidential Policy Directive–21, or any successor thereto—

(i) communications;

(ii) energy;

(iii) Transportation Systems;

(iv) Water and Wastewater Systems.

(B) Exclusions.—The term ‘‘covered entity’’ does not include—

(i) a foreign person a transaction of which—

(I) is under review or investigation by the Committees on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565); or

(II) has been suspended or prohibited by the President following such a review or investigation; or
Section 10. JIMMY CARTER NATIONAL HISTORICAL PARK.

(a) In general.—The Jimmy Carter National Historic Site shall be designated as the “Jimmy Carter National Historical Park.”

(b) Amendments to Public Law 100–206.—Public Law 100–206 (54 U.S.C. 20201 note; 101 Stat. 1843) is amended—

(1) in section 1(a), in the matter preceding paragraph (1), by striking “National Historic Site” and inserting “National Historical Park”;

(2) in section 3, in subsection (a), by striking “provisions of law generally applicable to national historic sites” and inserting “provisions of law generally applicable to units of the National Park System”; and

(3) in section 6, by striking “National Historic Site” and inserting “National Historical Park”;

(4) by striking “historical site” each place it appears and inserting “historical park”;

(5) by striking “HISTORICAL SITE” each place it appears and inserting “HISTORICAL PARK”;

(c) References.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the Jimmy Carter National Historic Site shall be considered to be a reference to the “Jimmy Carter National Historical Park”.

SA 2097. Mr. PERDUE (for himself and Mrs. LOEFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 10. CYBERSECURITY ADVISORY COMMITTEE.

(a) Short Title.—This section may be cited as the “Cybersecurity Advisory Committee Authorization Act of 2020.”
(b) In general.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

"SEC. 2215. CYBERSECURITY ADVISORY COMMITTEE.

"(a) Establishment.—The Secretary shall establish within the Agency a Cybersecurity Advisory Committee (referred to in this section as the "Advisory Committee").

"(b) Duties.—

"(1) In general.—The Advisory Committee shall advise, consult with, report to, and make recommendations to the Director, as appropriate, on the development, refinement, and implementation of policies, programs, planning, and training pertaining to the cybersecurity mission of the Agency.

"(2) Recommendations.—

"(A) In general.—The Advisory Committee shall develop, at the request of the Director, recommendations for improvements to advance the cybersecurity mission of the Agency and strengthen the cybersecurity of the United States.

"(B) Recommendations of subcommittees.—Recommendations agreed upon by subcommittees established under subsection (d) and approved by the Advisory Committee before the Advisory Committee submits to the Director the annual report under paragraph (4) for that year.

"(C) Periodic reports.—The Advisory Committee shall periodically submit to the Director—

"(i) reports on matters identified by the Director; and

"(ii) reports on other matters identified by a majority of the members of the Advisory Committee.

"(D) Other relevant reports.—

"(I) In general.—The Advisory Committee shall submit to the Director an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year.

"(ii) Prohibition.—Not less than 1 member may represent any 1 category under clause (I).

"(ii) Publication.—Not later than 180 days after the date of enactment of this section, the Director shall publish a public version of the report describing the activities, findings, and recommendations of the Advisory Committee.

"(B) In general.—The Advisory Committee to address cybersecurity issues, the following:

"(1) (A) Information exchange.

"(B) Information Technology.

"(C) Communications.

"(D) Critical infrastructure.

"(E) Risk management.

"(F) Public and private partnerships.

"(G) Meetings and reporting.—Each subcommittee shall meet not less frequently than semiannually, as the Advisory Committee or the authority of a Federal agency to provide a member of the Advisory Committee to address cybersecurity issues, which may include the following:

"(A) Information exchange.

"(B) Critical infrastructure.

"(C) Risk management.

"(D) Public and private partnerships.
(A) means an incentive offered by a governmental entity to a private entity for the purposes of building within the jurisdiction of the governmental entity, or expanding an existing facility within that jurisdiction—

(i) a fabrication (or other essential) facility relating to the manufacturing of current or next generation semiconductors; or

(ii) a project that establishes the manufacturing of current or next generation semiconductors or the assembly, testing, and packaging of current or next generation semiconductors; and

(B) includes any tax incentive (such as an incentive or reduction with respect to employment taxes or a tax abatement with respect to personal or real property), a workforce-related incentive (including a grant agreement relating to workforce training or education), any concession with respect to real property, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(4) the term "governmental entity" means a State or local government; and

(5) the term "Secretary" means the Secretary of Commerce.

(b) MATCHING FUNDS.—

(1) IN GENERAL.—The Secretary shall establish in the Department of Commerce a program that, in accordance with the requirements of this section, provides matching funds to covered entities.

(2) PRIORITY.—In carrying out this subsection, the Secretary shall provide to a covered entity under this subsection—

(A) in the event of a request for a covered entity under this subsection that, in the case of a covered entity under this subsection, is determined—

(i) to provide funding through the common funding mechanism described in subsection (b)(1) to support the development and adoption of secure microelectronics and secure microelectronics supply chains; and

(ii) to otherwise carry out this section.

(B) AVAILABLE CONTINGENT ON INTERNATIONAL AGREEMENT.—Amounts in the Fund shall remain available through the end of the fiscal year following the date on which the Secretary enters into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b) and the commitments described in paragraph (2) of that subsection.

(A) IN GENERAL.—Amounts in the Fund shall remain available through the end of the fiscal year described in subparagraph (A) of that subsection.

(B) REMAINDER TO TREASURY.—Any amounts remaining in the Fund shall be deposited in the general fund of the Treasury.

(c) CONSULTATION AND COORDINATION REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, the Secretary of the Treasury, and the Director of National Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts committed by such governments, to support the development and adoption of secure microelectronics and secure microelectronics supply chains, including for use in research and development collaborations among countries participating in the common funding mechanism.

(2) MUTUAL COMMITMENTS.—The Secretary of Commerce, in consultation with the United States Trade Representative and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are partners of the United States upon which to condition any expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subpart (A).

(C) promote harmonized treatment of microelectronics and verification processes for items being exported to a country considered to be a country participating in the common funding mechanism;
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SA 2101. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Semiconductor Manufacturing Incentives

SEC. 1091. FEDERAL MATCHING FUNDS TO STATE INCENTIVES.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘appropriate committees of Congress’’ means the Committee on Appropriations, the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on Foreign Relations, the Senate Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the term ‘‘covered entity’’ means a governmental entity that offers a covered incentive; and

(3) the term ‘‘covered incentive’’—

(A) means an incentive offered by a governmental entity to a private entity that involves construction or expansion of buildings within the jurisdiction of the governmental entity, or expanding an existing facility within that jurisdiction—

(i) any other facility that enables the manufacturing of current or next generation semiconductors or the assembly, testing, and packaging of current or next generation semiconductors;

(ii) any other facility that enables the manufacturing of current or next generation semiconductors or the assembly, testing, and packaging of current or next generation semiconductors;

(B) includes any tax incentive (such as an incentive or reduction with respect to employment or payroll taxes or a tax abatement with respect to real property), a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concessional supply chain funding, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State; and

(C) the term ‘‘governmental entity’’ means a State or local government; and

(D) the term ‘‘Secretary’’ means the Secretary of Commerce.

(b) MATCHING FUNDS.—

(1) IN GENERAL.—The Secretary shall establish in the Department of Commerce a program that, in accordance with the requirements of this section, provides matching funds to covered entities.

(2) PROCEDURE.—

(A) IN GENERAL.—A covered entity that has been offered a covered incentive and that desires to receive matching funds under this subsection shall submit to the Secretary an application that describes the project to which the covered incentive relates.

(B) CONSIDERATIONS FOR REVIEW.—With respect to the review by the Secretary of an application submitted by a covered entity under subparagraph (A), the Secretary may approve not the application unless—

(i) the Secretary may not approve the application unless the Secretary—

(I) confirms that the covered entity has agreed to build or expand in the applicable jurisdiction a facility described in subsection (a)(3)(A); and

(II) determines that building or expanding the facility described in subclause (I) is in the interest of the United States; and

(ii) determines that building or expanding the facility described in subclause (I) is in the interest of the United States; and

(ii) the applicable governmental entity has been offered a covered incentive and that determined by the Secretary.

(3) AMOUNT.—The amount of matching funds provided by the Secretary to a covered entity under this subsection shall be in an amount that is less than the value of the applicable covered incentive offered to the covered entity, as determined by the Secretary.

(4) CLAW-BACK.—The Secretary shall recover from a covered entity the amount of matching funds provided by the Secretary to a covered entity under this subsection if—

(A) as of the date that is 5 years after the date that is 5 years after the date of the enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (b)(1) and the specific amount so committed; and

(B) any additional authorities needed to enhance the effectiveness of the fund in achieving the security goals of the United States.

The consortium so formed must be capable of developing and producing microelectronics consistent with security standards required by section 224 of the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.) and other national security applications. The consortium so formed must be capable of developing and producing microelectronics consistent with security standards required by section 224 of the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.) and other national security applications.
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4531 et seq.) to establish and enhance a domes-
tic production capacity for semicon-
ductor technologies and related tech-
nologies, if funding is available for that pur-
pose.

(2) CONSULTATION.—The President shall de-
velop the plan required by paragraph (1) in
consultation with the Secretary of Defense,
the Secretary of Commerce, and appropriate stakeholders in the
private sector.

SEC. 1093. DEPARTMENT OF COMMERCE STUDY ON STATE OF SEMICONDUCTOR
TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce and the Secretary of Homeland Security shall undertake a survey, using the authorities in sec-
tion 705 of the Defense Production Act (50 U.S.C. 4555), to assess the capabilities of the United States industrial base to support the national defense in light of the global nature of the supply chain and significant inter-

dependencies between the United States in-
dustrial base and the industrial base of for-
eign countries with respect to the manufac-
ture, design, and end use of semiconductors.

(b) RESPONSE TO SURVEY.—The Secretary shall submit to Congress with the survey from among all relevant potential respond-
ents, including the following:

(1) Corporations, partnerships, associa-
tions, or any other organized groups domic-
iled in the United States with operations outside the United States.

(2) Corporations, partnerships, associa-
tions, or any other organized groups domic-
iled in the United States with operations in the United States.

(3) Foreign domiciled corporations, part-
nerships, associations, or any other organized groups domic-
iled in defense treaty or assistance countries where the production of the entity concerned involves critical technologies cov-
ered by section 2.

(c) INFORMATION REQUESTED.—The informa-
tion submitted in response to the survey required by subsection (a) shall include, at minimum, information on the following with respect to the manufac-
turing and end use of semiconductors by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of semicon-
ductor development, manufacture, assembly, test, and packaging equipment in operation at such entity.

(4) An identification of all relevant raw materials and semi-finished goods and com-
ponents sourced domestically and abroad by such entity.

(5) Specifications of the semiconductors manufactured or designed by such entity, de-
scriptions of the end-uses of such semi-
conductors, and a description of any tech-
nical support provided to end-users of such semiconductors by such entity.

(6) Information on the semiconductor and export market sales by such entity.

(7) Information on the financial perform-
ance, including income and expenditures, of such entity.

(8) A list of all foreign and domestic sub-
sidies, and any other financial incentives, re-
cieved by such entity in each market in which such entity operates.

(9) A list of information requests from the People’s Republic of China to such entity, and a description of the nature of each re-
quest and the type of information provided.

(10) Information on any joint ventures, technology licensing agreements, and coop-
eration research or production arrangements of such entity.

(11) A description of efforts by such entity to evaluate and control supply chain risks it faces.

(12) A list and description of any sales, li-

censing agreements, or partnerships between such entity and the People’s Liberation Army or People’s Armed Forces, including any business relationships with entities through which such sales, licensing agree-
ments, or partnerships may occur.

(d) REPORT.—

(1) IN GENERAL.—The Secretary of Com-
merce shall, in consultation with the Sec-
retary of Defense, and the Secretary of Homeland Security submit to Congress a re-
port on the results of the survey required by subsection (a). The report shall include the following:

(A) An assessment of the results of the sur-
vey.

(B) A list of critical technology areas im-
pacted by potential disruptions in produc-
tion of semiconductors, and a detailed de-
scription and assessment of the impact of such potential disruptions on such areas.

(C) A description of gaps and vulnerabilities in the semiconductor supply chain and the national industrial sup-
ply base.

(2) FORM.—The report required by para-
graph (1) may be submitted in classified form.

SEC. 1094. FUNDING FOR DEVELOPMENT AND ADOPTION OF SECURE MICROELE-
TRONICS AND SECURE MICROELECTRONICS SUPPLY CHAINS.

(a) MULTILATERAL MICROELECTRONICS SECURI-
TY FUND.—

(1) ESTABLISHMENT OF FUND.—There is es-
tablished in the United States a trust fund, to be known as the
“Multilateral Microelectronics Security Fund” (in this section referred to as the “Fund”), consisting of amounts deposited into the Trust Fund under paragraph (2) and any amounts that may be credited to the Trust Fund under paragraph (3).

(2) USE OF FUND.—There are authorized to be appropriated $750,000,000 to be deposited in the Fund.

(b) INVESTMENT OF AMOUNTS.—The Sec-
retary of the Treasury shall invest such por-
tion of the Fund as is not required to meet interest and proceed on and after the date the Secretary of the Treasury, and the Director of National
Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts com-
mitted by such governments, to support the development and adoption of secure micro-
electronics and secure microelectronics sup-
ply chains, including for use in research and development collaborations among countries participating in the common funding mecha-

(n) MUTUAL COMMITMENTS.—The Secretary of State, in consultation with the United States Trade Representative and the Sec-
retary of Commerce, shall negotiate a set of mutual commitments with the gov-
gernments of countries that are partners of the United States upon which to condition and expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) Establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) Establish consistent policies with re-
spect to countries that—

(i) are not participating in the common funding mechanism;

(ii) do not meet transparency requirements established under subparagraph (A);

(C) Promote harmonized treatment of microelectronics and microelectronics components for items being exported to a country consid-
ered a national security risk by a country participating in the common funding mecha-

(n) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the en-
actment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(3), the Secretary of the Treasury shall submit to Congress a report on the status of the imple-
mentation of this section that includes a de-
scription of—

(1) any commitments made by the govern-
ments of countries that are partners of the United States to provide funding for the common funding mechanism described in subsection (b)(1) and the specific amount so committed;

(E) Establish criteria for expenditure of funds through the common funding mech-

SEC. 1095. FUNDING FOR DEVELOPMENT AND ADOPTION OF SECURE MICROELE-
TRONICS SUPPLY CHAINS.

(a) ESTABLISHMENT OF FUND.—There is es-
tablished in the United States a trust fund, to be known as the
“Fund” for the purposes of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b) and the commitments de-
scribed in paragraph (2) of that subsection.

(b) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts in the Fund shall remain available for the tenth fiscal year beginning after the date of the enactment of this Act.

(2) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after the end of the fiscal year described in subparagraph (A) shall be deposited in the general fund of the Treasury.
(iii) of which, $500,000,000 shall be available to carry out subsection (d)(2)(C);
(iv) of which, $500,000,000 shall be available to carry out subsection (d)(2)(D)—
which, $20,000,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (d)(5)(A); and
(ii) of which, $20,000,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (d)(5)(B); and
and (III) of which, $50,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (d)(5)(C).

(2) EMERGENCY.—Amounts made available pursuant to subparagraph (A) are designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(3) SEMICONDUCTOR RESEARCH AT NATIONAL SCIENCE FOUNDATION.—There is authorized to be appropriated to carry out programs at the National Science Foundation on semiconductor research, in alignment with the National Strategy on Semiconductor Research, $2,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025. An amount made available pursuant to this paragraph is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) SEMICONDUCTOR RESEARCH AT DEPARTMENT OF ENERGY.—There is authorized to be appropriated to carry out programs at the Department of Energy on semiconductor research, in alignment with the National Strategy on Semiconductor Research, $1,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025. An amount made available pursuant to this paragraph is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 2102. Mr. SCHUMER (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

TITLE XV—ENDLESS FRONTIER ACT

SEC. 1701. SHORT TITLE.

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

SEC. 1702. FINDINGS.

Congress finds the following:
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 benefited from strong economic prosperity, and a higher quality of life. Today, however, this leadership position is being eroded and challenged by foreign competitors whom are stealing intellectual property and trade secrets of the United States and aggressively investing in fundamental research and commercialization to dominate key technology fields of the future. While the United States once led the world in the share of our economy invested in research and development, it now ranks 9th globally in total research and development and 12th in publicly financed research and development.

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 the race in key technologies such as artificial intelligence, quantum computing, advanced communications, and advanced manufacturing—will be the superpower of the future.

In addition, our Government must catalyze United States innovation by boosting fundamental research investments focused on discovering, creating, commercializing, and producing key technology areas that will enable the leadership of the United States in the industries of the future.

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 growth. The innovation sector generated 90 percent of the Nation’s 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, spurring 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.

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. 1705. NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION. (a) REDesignation 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. 1864a) is amended—

(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”; and

(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 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”;

(6) by adding at the end the following: “The Deputy Director for Science shall not act as the acting Deputy Director for Technology.”;

(c) Establishment of Directorate for Technology.—The Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1864 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.’”;

(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) Institution of higher education.—The term ‘institution of higher education’ means an institution described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(b) Establishment and Administration of the Directorate.—

(1) In general.—Not later than 90 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2020, the Deputy Director shall establish 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 key technology focus areas through fundamental research in the key technology focus areas.

(B) Enhancing 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 such areas.

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

(c) Authorization of Appropriations.— Appropriations for the operation of the Foundation shall be increased to provide such sums as may be necessary to support the operation of the Foundation.

(d) Selection of Directors.—Each Deputy Director shall receive such salary as is provided by law for the Deputy Director of the Defense Advanced Research Projects Agency for the oversight of the programs described in this section, in order to further the following goals:

(1) section, in order to further the following goals:

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

(B) Enhancing 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 such areas.

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

(3) Organization and Administrative Matters.—

(A) Hiring Authority.—

(i) Experts in Science and Engineering.—The Director shall have the authority to establish 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 of the Director of the Defense Advanced Research Projects Agency established under section 313 of the Defense Advanced Research Projects Act.

(ii) Highly Qualified Experts in Needed Occupations.—In addition to the authority provided under subparagraphs (A) and (B), 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 of the Director of the Defense Advanced Research Projects Agency established under section 313 of the Defense Advanced Research Projects Act.

(iii) Additional Hiring Authority.—To the extent needed to carry out the duties and responsibilities of the Directorate, the Director may include program managers for the key technology focus areas, who shall perform a role similar to program managers employed by the Defense Advanced Research Projects Agency for the oversight and management of programs supported by the Foundation.

(B) Program Managers.—The employees of the Directorate may include program managers for the key technology focus areas, who shall perform a role similar to program managers employed by the Defense Advanced Research Projects Agency for the oversight and management of programs supported by the Foundation.

(c) Selection of Recipients.—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

(2) by inserting after the first sentence the following:

(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 Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) Establishment.—

(1) In general.—Not later than 90 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2020, the Deputy Director shall establish in the Foundation a Directorate for Technology. The Directorate shall carry out the
other Assistant Directors of the Foundation are appointed.

2. 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.

3. Duties and Functions of the Directorate.—

a. Development of Technology Focus of the Directorate.—The Director, acting through the Deputy Director, shall—

(i) prepare a list of key technology focus areas through fundamental research and other activities described in this section and paragraph (b);

(ii) develop and implement strategies to ensure that the activities of the Directorate are directed toward the key technology focus areas in order to accomplish the goals described in subparagraphs (A) through (C) of subsection (b)(1) consistent with the most recent report conducted under section 107(b) of the Endless Frontier Act.

b. Key Technology Focus Areas.—

(A) Initial List.—The initial key technology focus areas are—

(i) artificial intelligence and machine learning;

(ii) high performance computing, semiconductors, and advanced computer hardware;

(iii) quantum computing and information systems;

(iv) robotics, automation, and advanced manufacturing;

(v) natural or anthropogenic disaster prevention;

(vi) advanced communications technology;

(vii) biotechnology, genomics, and synthetic biology;

(viii) cybersecurity, data storage, and data management technologies;

(ix) advanced energy; and

(x) materials science, engineering, and exploration relevant to the key technology focus areas described in this subparagraph.

(B) Review of Key Technology Focus Areas and Subsequent Lists.—

(i) Review for 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—

(I) shall, in consultation with the Board of Advisors, review the list of key technology focus areas and

(II) as part of that review, may add or delete 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 (I).

(ii) Review for Adding 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) Public Law 102-579.—Upon the completion of each review under this subparagraph, the Director shall make the list of key technology focus areas readily available to the public, including by publishing the list in the Federal Register, even if no changes have been made to the prior list.

4. 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—

(1) individual institutions of higher education for work at centers or by individual researchers or teams of researchers; and

(2) not-for-profit entities; and

(B) Key Technology Focus Areas as Defined in Section 2 of the Energy Policy Act of 2005 (42 U.S.C. 18601); and

(iv) 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 subparagraphs (I), (II), and (III) and, if appropriate, for-profit entities, including small businesses; and

(cc) shall include and be led by 1 or more entities described in subparagraphs (I) and (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 further the creation of a domestic workforce capable of advancing the key technology focus areas;

(iii) provide funds to other Federal research agencies, including the National Institute of Standards and Technology, for in-tramural or extramural work in the key technology focus areas through research, development, or other means;

(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 awards under such 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 public-private partnerships beyond direct research funding; and

(vi) enter into and perform such contracts or other arrangements, or modifications thereof, as may be necessary in the conduct of the research, development, and other activities as proof-of-concept development and to further the key technology focus areas.

(C) Duties and Functions of the Directorate.—

(i) Certain designated countries; and

(ii) if appropriate, private sector entities; and

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 of the next 5 years for each of the activities described in subparagraph (A), including—

(i) a plan to seek out additional investments from—

(aa) to carry out fundamental research to advance innovation in the key technology focus areas; and

(bb) to further the development of innovations in the key technology focus areas, including—

(A) innovations derived from research carried out under item (aa), through such activities as proof-of-concept development and prototyping, in order to reduce the cost, time, and risk of commercializing new technologies; and

(B) Research and Development.—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 interagency cooperation that occurred during the preceding year pursuant to this paragraph, including a list of—

(i) any funds provided under paragraph (A) to other divisions of the Foundation; and

(ii) any funds provided under paragraph (A) to other Federal research agencies.

5. Providing Scholarships, Fellowships, and Other Student Support.—

(A) In General.—The Director, acting through the Deputy Director, shall fund under-graduate scholarships, graduate fellowships and traineeships, and postdoctoral student awards in the key technology focus areas.

(B) Broadening Participation.—In carrying out this paragraph, the Director, acting through the Deputy Director, shall work to increase the participation of underrepre-sented minorities in fields related to the key technology focus areas. For that purpose, the Director may take such steps as establish- ing or augmenting programs targeted at underrepresented minorities, and sup-porting traineeships or other relevant programs at institutions of higher education with high enrollments of underrepresented minorities.

6. Supplement, Not Supplant.—The Di- rector shall ensure that funds made available under this paragraph do not supplant any funds provided by other Federal agencies that create additional support for postsecondary students and shall not displace funding for any other available support.

7. 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 to or enter into cooperative agreements with institutions of higher education or consortia described in paragraph (A) of clause (iii) to establish university technology centers.

(B) Use of Funds.—

(i) You May Use Funds.—A center established under a grant or cooperative agreement under subparagraph (A) shall—

(aa) support programs described in paragraph (A) of clause (iii); and

(bb) to further the development of innovations in the key technology focus areas, including—

(A) innovations derived from research carried out under item (aa), through such activities as proof-of-concept development and prototyping, in order to reduce the cost, time, and risk of commercializing new technologies; and

(B) research and development.—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 interagency cooperation that occurred during the preceding year pursuant to this paragraph, including a list of—

(i) any funds provided under paragraph (A) of clause (iii) to other Federal research agencies.
“(BB) through the use of public-private partnerships; and
“(II) may use support provided under such subparagraph—
“(aa) for the costs of equipment, including mid-tier infrastructure, and the purchase of cyberinfrastructure resources, including computer time; or
“(bb) for other activities or costs necessary to accomplish the purposes of this section.

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

“(C) SELECTION PROCESS.—In selecting recipients under this paragraph, the Director, acting through the Deputy Director, shall consider—

“(i) the capacity of the applicant to pursue and advance fundamental research, particularly research on questions not being widely pursued elsewhere in academia or in industry;

“(ii) the extent to which the applicant’s proposed research would be likely to advance progress in 1 or more key technology focus areas;

“(iii) the capacity of the applicant to engage industry in building on any advances; and

“(iv) in the case of a consortium, the range of institutions of higher education participating in the consortium, including whether the consortium includes historically Black colleges or universities, minority-serving institutions, or other institutions capable of involving underrepresented minorities in the proposed project.

“(D) DOCUMENTS.—The Director shall ensure that any institution of higher education or consortium receiving 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 to, on a competitive basis, institutions of higher education or consortia described in paragraph (3)(A)(iii) to establish test beds and fabrication facilities to advance the operation, integration and, as appropriate, commercialization 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) 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 one-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 shall establish and share with the public the results of the work conducted under this paragraph.

“(8) TEST.

“(A) PROGRAM AUTHORIZED.—The Director, acting through the Deputy 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)(iii) to establish test beds and fabrication facilities to advance the operation, integration and, as appropriate, commercialization 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) how the applicant will assemble a workforce with the skills needed to operate the test bed or facility.

“(C) SELECTION PROCESS.—In selecting the test beds and fabrication facilities described in paragraph (3)(A)(i)(II), the Director, acting through the Deputy Director, shall consider—

“(i) the steps the applicant will take to reduce the risks for commercialization for new technologies;

“(ii) why such steps are likely to be effective; and

“(iii) how such steps differ from previous efforts to reduce the risks for commercialization for new technologies.

“(C) USE OF FUNDS.—A recipient of a grant under this paragraph shall use grant funds to reduce the risks for commercialization for new technologies developed on campus, which may include—

“(i) preparing for participation in funding competitions to allow entrepreneurial ideas from institutions of higher education to illustrate their commercialization potential;

“(ii) establishing partnerships between local and national business leaders and potential entrepreneurs to encourage successful commercialization;

“(iii) providing off-campus facilities for start-up companies where technology maturation could occur;

“(iv) revising institution policies to accomplish the goals of this paragraph.

“(9) INAPPLICABILITY.—Section 5(e)(1) shall not apply to grants, contracts, or other arrangements made under this section.

“(10) BOARD OF ADVISORS.

“(A) COMPOSITION.—The Board of Advisors shall be comprised of 12 members representing scientific leaders and experts from industry and academia, of whom—

“(i) 2 shall be appointed by the majority leader of the Senate;

“(ii) 2 shall be appointed by the minority leader of the Senate;

“(iii) 2 shall be appointed by the Speaker of the House of Representatives;

“(iv) 2 shall be appointed by the minority leader of the House of Representatives; and

“(v) 4 shall be appointed by the Director.

“(B) OPPORTUNITY FOR INPUT.—Before appointing any member under subparagraph (A), the appointing authority shall provide an opportunity for the National Academies of Sciences, Engineering, and Medicine and other entities to provide advice regarding potential appointees.

“(C) QUALIFICATIONS.—

“(i) IN GENERAL.—Each member appointed under subparagraph (A) shall—

“(I) have extensive experience in a field related to the work of the Directorate, or other expertise relevant to developing technology roadmaps; and

“(II) have, or be able to obtain within a reasonable period of time, a security clearance appropriate for the work of the Board of Advisors.

“(ii) EXPEDITED SECURITY CLEARANCES.—The process of obtaining a security clearance under clause (i)(II) may be expedited by the head of the appropriate Federal agency to enable the Board to receive classified briefings on the current and future technological capacity of other nations, and on the military implications of civilian technologies.

“(D) DATE.—The appointments of the members of the Board of Advisors shall not be made not later than 90 days after the date of enactment of the Endless Frontier Act.

“(E) PERIOD OF APPOINTMENT; VACANCIES.—

“(i) INITIAL MEETING.—Not later than 180 days after the date of enactment of the Endless Frontier Act, a member of the Board of Advisors shall be appointed for a 3-year term, except that the Deputy Director shall adjust the terms for the first members of the Board of Advisors so that each appointment category described in clauses (i) through (v) of paragraph (2)(A), the terms expire on a staggered basis.

“(ii) TERM LIMITS.—A member of the Board of Advisors shall not serve for more than 2 full consecutive terms.

“(F) VACANCIES.—Any vacancy in the Board of Advisors shall—

“(i) shall not affect the powers of the Board of Advisors; and

“(ii) shall be filled in the same manner as the original appointment.

“(11) CHAIRPERSON.—The members of the Board of Advisors shall elect 1 member to serve as the chairperson of the Board of Advisors.

“(12) MEETINGS.

“(A) INITIAL MEETING.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the Board of Advisors shall hold the first meeting of the Board of Advisors.

“(B) ADDITIONAL MEETINGS.—After the first meeting of the Board of Advisors, the Board of Advisors shall meet upon the call of the chairperson or of the Director, and at least
once every 180 days for the duration of the Board of Advisors.

"(C) MEETING WITH THE NATIONAL SCIENCE BOARD.—The Board of Advisors shall hold a joint meeting with the National Science Board on at least an annual basis, on a date mutually selected by the chairperson of the Board of Advisors and the Chairman of the National Science Board.

"(D) QUORUM.—A majority of the members of the Board of Advisors shall constitute a quorum, but a lesser number of members may hold meetings.

"(E) DUTIES OF BOARD OF ADVISORS.—

"(A) IN GENERAL.—The Board of Advisors shall—

"(i) to the Deputy Director on programs that could best be carried out to accomplish the purposes of this section;

"(ii) to the Deputy Director to inform the reviews of key technology focus areas required under subsection (c)(2)(B); and

"(iii) on other issues relating to the purposes and responsibilities of the Directorate, as requested by the Deputy Director.

"(B) NO ROLE IN AWADING GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—The Board of Advisors shall not provide advice on or otherwise help determine what entities shall receive grants, contracts, or cooperative agreements under this Act.

"(C) COMPENSATION OF MEMBERS.—

"(1) COMPENSATION.—Each Federal department or agency may provide compensation, including per diem in lieu of subsistence, and statistical data, and other classified information described in clause (i), that is covered by proposals described in clause (ii); that are not funded and that met the criteria for awarding, across the key technology focus areas.

"(2) NO TRANSFER OF FUNDS.—The Director shall not transfer any funds appropriated to the Directorate or to carry out this section for any fiscal year in which the total amount appropriated to the Foundation (not including amounts appropriated for the Board of Advisors) 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.

"(D) GOVERNMENT EMPLOYEES.—

"(i) IN GENERAL.—Federal Government employee may be detailed to the Board of Advisors without reimbursement, and such details shall not be considered an assignment or loss of civil service status or privilege.

"(ii) INDIVIDUALS.—The Deputy Director shall—

"(A) not less than 10 percent of such funds to carry out subsection (c)(6);

"(B) not fewer than 2,000 graduate fellowships; and

"(C) not fewer than 1,000 post-doctorate fellowships; and

"(D) if funds remain after carrying out subparahraph (A) through (D), grants to institutions of higher education to enable the institutions to fund the development and establishment of new or specialized courses of education for graduate, undergraduate, or technical college students;

"(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Board of Advisors shall—

"(F) if funds remain after carrying out subsection (c)(6).

"(G) RULES OF CONSTRUCTION.—

"(1) NO CLASSIFIED RESEARCH.—Nothing in this Act shall be construed to permit the Foundation to fund classified research.

"(2) NO ALTERATIONS OF OTHER MISSIONS OR SELECTION PROCESSES OF THE FOUNDATION.—Nothing in this section or any other amendment made by this Act shall be construed to alter the missions of any directorate of the Foundation existing prior to the date of enactment of such Act, or to alter the award selection methods or criteria used by such directorates.

"(3) ANNUAL REPORT ON UNFUNDED PRIORITIES.—

"(A) IN GENERAL.—Each Federal department or agency may provide compensation, including per diem in lieu of subsistence, and statistical data, and other classified information described in clause (i), that is covered by proposals described in clause (ii); that are not funded and that met the criteria for awarding, across the key technology focus areas.

"(B) 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 Deputy Director shall submit to the President and to Congress a report on the unfunded priorities of the National Science and Technology Foundation.

"(C) REPORT.—Each report submitted under paragraph (1) shall provide—

"(1) for each directorate of the National Science Foundation for the most recent, fully completed fiscal year, an explanation of—

"(i) the proposal success rate; and

"(ii) the percentage of proposals that were not funded and that met the criteria for funding; and

"(iii) the most promising research areas covered by proposals described in clause (i);

"(D) VENTURE DEVELOPMENT ORGANIZATIONS.—

"(1) DEFINITIONS.—

"(a) TECHNOLOGY FOCUS AREAS.—Subsection (a) of section 27 of the Stevenson-Wyler Technology Innovation Act of 1980 (15 U.S.C. 5722) is amended—

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

"(B) by inserting after paragraph (1) the following—

"(2) AMENDMENTS.—The term ‘key technology focus areas’ means the areas included on the most recent list under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1662).

"(f) SELECTION PROCESSES OF THE FOUNDATION.—

"(A) IN GENERAL.—There are authorized to be appropriated for the Directorate, in addition to any other funds made available to the Directorate, a total of $100,000,000,000 for fiscal years 2021 through 2025, of which—

"(A) $2,000,000,000 is authorized for fiscal year 2021;

"(B) $8,000,000,000 is authorized for fiscal year 2022;

"(C) $23,000,000,000 is authorized for fiscal year 2023;

"(D) $35,000,000,000 is authorized for fiscal year 2024; and

"(E) $35,000,000,000 is authorized for fiscal year 2025.

"(2) APPROPRIATIONS LIMITATIONS.—

"(A) HOLD HARMLESS.—No funds shall be appropriated to the Directorate or to carry out this section for any fiscal year in which the total amount appropriated to the Foundation (not including amounts appropriated for the Board of Advisors) 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) NO TRANSFER OF FUNDS.—The Director shall not transfer any funds appropriated to any other directorate or office of the Foundation to the Directorate.

"(3) RULES OF CONSTRUCTION.—

"(1) NO CLASSIFIED RESEARCH.—Nothing in this Act shall be construed to permit the Foundation to fund classified research.

"(2) NO ALTERATIONS OF OTHER MISSIONS OR SELECTION PROCESSES OF THE FOUNDATION.—Nothing in this section or any other amendment made by this Act shall be construed to alter the missions of any directorate of the Foundation existing prior to the date of enactment of such Act, or to alter the award selection methods or criteria used by such directorates..."
of” and all that follows through the period at the end and inserting the following: “purposes of—

(A) accelerating the commercialization of research and development;

(B) strengthening the competitive position of industry through the development, commercial adoption, or deployment of technology; and

(C) providing financial grants, loans, direct financial investment, or in-kind services to commercialize technology.”

(3) DESIGNATION OF R:\GEONAL TECHNOLOGY HUBS AS PART OF RE:\GIONAL IN\NO\VATION PROGRAM OF DEPARTMENT OF COMMERCIE:

(1) 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 REQUIREMENTS.—

(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 in that fiscal year that meet the conditions, within a region, to facilitate activities that—

(I) enable United States leadership in a key technology focus area, complementing the Federal research and development investments under section 8A of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.); and

(II) support regional economic development that diffuses innovation capacity and capacity, and thus stimulates regional 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 or Tribal government or other political subdivision of a State;

(III) a representative appointed by the governor of the State or States that is representative of the geographic coverage of the regional technology hub; and

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

(ii) has the following more—

(I) nonprofit economic development entities with relevant expertise, including a district organization (as defined in section 300.3 of title 31, Code of Federal Regulations, or successor regulation);

(II) venture development organizations;

(III) financial institutions;

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

(V) workforce training organizations, including State workforce development boards as established under section 101 of the Workforce Investment and Opportunity Act (29 U.S.C. 3111);

(VI) industry associations;

(VII) labor organizations;

(VIII) firms in the key technology focus areas;

(IX) National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

(X) Federal laboratories;

(xi) an entity described in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278a(a));

(xii) Manufacturing USA institutes (as described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278as(d))); and

(xiii) any Federal agency receiving an award under paragraph (6) or (7) of section 8A(c) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).

(C) ADMINISTRATION.—

The Secretary shall carry out this subsection through the Assistant Secretary for Commerce for Economic Development and the Under Secretary for Commerce for Standards and Technology, jointly.

(2) 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).

(B) NUMBER OF REGIONAL TECHNOLOGY HUBS.—During the 5-year period beginning on the date of the enactment of the Endless Frontier Act, the Secretary shall designate no fewer than 10 and not more than 15 eligible consortia as regional technology hubs under paragraph (1)(A).

(3) GRANTS AND COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—The Secretary shall carry out clause (i) of paragraph (1)(A) through the award of grants or cooperative agreements to the eligible consortia designated under clause (i) of such paragraph.

(B) TERM.—Each grant or cooperative agreement awarded under subparagraph (A) shall be for a period of 5 years, but may be renewed once for an additional period of 5 years.

(C) MATCHING REQUIRED.—The total Federal financial assistance awarded in a given year to an eligible consortium in support of the eligible consortium’s operation as a regional technology hub under this subsection shall not exceed amounts as follows—

(i) in first year of the grant or cooperative agreement, 90 percent of the total funding of the regional technology hub in that fiscal year;

(ii) in second year of the grant or cooperative agreement, 85 percent of the total funding of the regional technology hub in that fiscal year;

(iii) in third year of the grant or cooperative agreement, 80 percent of the total funding of the regional technology hub in that fiscal year;

(iv) in fourth year of the grant or cooperative agreement and each year thereafter, 75 percent of the total funding of the regional technology hub in that fiscal year.

(D) USE OF GRANT AND COOPERATIVE AGREEMENT FUNDS.—The recipient of a grant or cooperative agreement awarded under subparagraph (A) shall use such grant for multiple activities determined appropriate by the Secretary, including—

(i) the permissible activities set forth under subsection (c)(2); and

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

(I) to develop the region’s skilled workforce through 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’s plans and programs;

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

(IV) to attract new private, public, and philanthropic investment in the region for developing innovative capacity, including establishing regional venture and loan funds for financing technology commercialization, new business formation, and business expansions;

(V) to further the development of innovations in the key technology focus areas, including innovations derived from research conducted at institutions of higher education or other research entities, including research conducted by 1 or more university technology centers established under section 8A(c) 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 illustrate their commercialization potential;

(ddd) 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 new technology prior to seeking commercial financing, through patient funding, advice, staff support, or other means; and

(ff) providing facilities to companies where technology maturation could occur and to carry out such other activities as the Secretary considers appropriate to improve United States competitiveness and regional economic development to support a key technology focus area 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 (i) 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 UNIVERSITY TECHNOLOGY CENTERS.—In preparing an application for submittal under subparagraph (A), an applicant shall, to the extent practicable, consult with one or more university 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.) that are either geographically relevant or are conducting research on relevant key technology focus areas.

(C) CONSIDERATIONS FOR DESIGNATION AND GRANTS.—In making a determination whether an eligible consortium that submitted an application under paragraph (4)(A) for designation and support
under paragraph (1)(A), the Secretary shall consider, at a minimum, the following:

(A) The potential of the eligible consortia to advance the development of new technologies and expand the manufacturing capacity of existing companies to commercialize new technologies and develop new supply chains in the United States in a key technology focus area.

(B) The likelihood of positive regional economic effect, 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 Federal 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.) in a related key technology focus area.

(D) How the eligible consortium will engage with the private sector, including small and medium-sized enterprises, to establish and support regional technology hubs.

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

(F) How the eligible consortium will improve, where possible, the development, engineering, and mathematics education programs in the identified region in elementary and secondary school and higher education institutions to prepare students for careers in key technology focus areas.

(G) How the eligible consortium plans to develop partnerships with venture development organizations and sources of private investment to support the development of existing technology-based businesses.

(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.

(I) How the eligible consortium plans to address economic inclusion, including ensuring the development of, employment, and other assistance, and other activities focused on economically disadvantaged populations.

(6) THE COORDINATION WITH THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY PROGRAMS.—

(A) DEFINITIONS.—In this paragraph:

(i) EXTENSION CENTER.—The term ‘‘manufacturing extension center’’ has the meaning given the term ‘‘Center’’ in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 273a(a).

(ii) MANUFACTURING USA INSTITUTE.—The term ‘‘Manufacturing USA Institute’’ means a Manufacturing USA Institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 273d(d)).

(B) COORDINATION REQUIRED.—The Secretary shall coordinate the activities of regional technology hubs designated under this subsection, the Hollings Manufacturing Extension Partnership, and the Manufacturing USA Program with each other to the degree that doing so does not diminish the effectiveness of the ongoing activities of a manufacturing extension center or a Manufacturing USA Institute.

(C) ELEMENTS.—Coordination by the Secretary under subparagraph (B) may include the following:

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

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

(7) INITIATION.—In assisting regional technology hubs designated under paragraph (1)(A)(i), the Secretary—

(A) shall collaborate with Federal departmental, agency, or independent regulatory commissions to establish and support regional technology hubs;

(B) may accept funds from other Federal agencies to support grants and activities under this establishment; and

(C) may establish interoperability agreements with other Federal agencies or agencies of the States to provide preferential consideration for financial or technical assistance to a regional technology hub designated under this subsection if all applicable requirements for the financial or technical assistance are met.

(8) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—

(A) STANDARDS AND ASSESSMENT.—For each grant awarded under paragraph (3) for a regional technology hub, the Secretary shall—

(i) develop, metrics to assess the effectiveness of the activities funded in making progress toward the purposes set forth under paragraph (1)(A), which may include:

(I) how each regional technology hub is meeting the standards for performance established under clause (ii);

(II) commercialization activities undertaken by each regional technology hub that is designated and supported under paragraph (1)(A);

(iii) establish standards for the performance of the regional technology hub that are based on the metrics developed under clause (i); and

(iv) establish standards for the performance of the regional technology hub that are based on the metrics developed under clause (i).

(B) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Appropriations of the Senate, the Committee on Science, Space, and Technology of the Senate, and the Committee on Appropriations of the House of Representatives an annual report on the results of the assessments conducted by the Secretary under subparagraph (A)(iii) during the period covered by the report.

(2) INITIAL DESIGNATIONS AND AWARDS.—

(A) COMPETITION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall commence a competition under paragraph (2)(A) of section 27(d) of the Stevenson-Wydler Technology Innovation Act of 1980, as added by paragraph (1) of such section, the Secretary shall—

(i) designate at least 1 regional technology hub under paragraph (1)(A)(i) of such section; and

(ii) award a grant under paragraph (3)(A) of such section to each regional technology hub designated under clause (i) of this subparagraph.

(B) AUTHORIZATION OF APPROPRIATIONS.—Subsection (i) of such section, as redesignated by subsection (c)(1)(A) of such section, is amended—

(i) by striking ‘‘From amounts’’ and inserting the following:

[1]

(ii) IN GENERAL.—From amounts;

[2]

in paragraph (1), as redesignated by paragraph (1) of this subsection, by striking ‘‘this section’’ and inserting ‘‘the provisions of this section other than subsection (d)’’;

and

[3]

by adding at the end the following:

(2) REGIONAL TECHNOLOGY HUBS.—There is authorized to be appropriated to the Secretary to carry out this section $10,000,000,000 for the period of fiscal year 2021 through 2025.

SEC. 1705. STRATEGY AND REPORT ON ECONOMIC SECURITY, SCIENCE, RESEARCH, AND INNOVATION TO SUPPORT THE NATIONAL SECURITY STRATEGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Intelligence, 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. 149, chapter 171; 42 U.S.C. 1861 et seq.).

(3) NATIONAL SECURITY STRATEGY.—The term ‘‘national security strategy’’ means the most recent National Security Strategy, as required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043).

(b) STRATEGY AND REPORT.—

(1) IN GENERAL.—In each year thereafter before 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, and the heads of other relevant Federal agencies, shall—

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

(B) develop 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 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 on January 20 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 the implications for the geopolitical 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 innovation and an assessment of how the investment in civilian and military science and technology can advance those objectives.

(C) An assessment of how regional efforts are contributing to, or could contribute to, the innovation capacity of the United States, including—

(i) programs run by State and local governments;

(ii) regional factors that are contributing or could contribute positively to innovation.

(D) An assessment of barriers to competitiveness in key science and technology areas and barriers to the development and evolution of start-ups, small and mid-sized business entities, and industries in key technology focus areas.

(E) An assessment of the effectiveness of the Federal Government, federally funded research and development centers, and national laboratories and industrial laboratories in fostering 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.

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

(2) CERTIFICATION.—By striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation” established under subsection (b)(3)(B) shall include the following:

(A) A plan to utilize available tools to address the leading threats and milestones for each relevant Federal agency.

(B) Specific plans to support public and private sector investment in research, technology, and the manufacture in key technology focus areas supportive of the national economic competitiveness of the United States and to foster the independent use of public-private partnerships.

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

(iv) A description of—

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

(II) how the strategy submitted under such subsection is integrated and coordinated with the most recent national defense strategy under section 119 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 for how the United States should develop local and regional capacity for building innovation ecosystems across the nation by providing Federal support.

(vii) A plan for strengthening the industrial base of the United States.

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

(ix) A description of—

(f) A FORM OF REPORTS AND STRATEGIES.—

Each report and strategy submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1706. CONFORMING AMENDMENTS.


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

(2) in section 3 (42 U.S.C. 1862i), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”.


(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1998.—The National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862q et seq.) is amended—

(1) in each of paragraphs (1) and (2) of section 2 (122 Stat. 889), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(2) in section 3 (42 U.S.C. 1862q(a)(6)), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;

(d) AMERICA COMPETES ACT.—The America COMPETES Act (Public Law 110–63; 124 Stat. 4015) 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”.

(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 A of this Act, by inserting “and Technology” after “National Science”;

(2) in section 502 (42 U.S.C. 662p 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” and inserting “National Science and Technology Foundation”;

(3) in the section heading of section 506 (42 U.S.C. 662p–1), by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”;

(4) in section 517 (42 U.S.C. 662p–9)—

(A) in paragraph (2) of subsection (a), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(B) in each of subsections (a)(4), (b), and (c), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(5) in section 518 (124 Stat. 4015), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(6) in section 519 (124 Stat. 4015)—

(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. 662p–10)—

(A) by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”; and

(B) in the subsection heading of subsection (b), by striking “NSF” and inserting “NSTF”;

(8) in section 522 (42 U.S.C. 662p–11)—
(A) in the section heading, by striking "NSF" and inserting "NSTP"; and  
(B) by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(q) NATIONAL QUANTUM 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 term "title II and inserting the following:  
“TITLE III—NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION QUANTUM ACTIVITY”;

(2) in section 102(a)(2)(A) (15 U.S.C. 8812(a)(2)(A)), by inserting “and Technology” after “National Science”;

(3) in section 103 (15 U.S.C. 8813), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;

(4) in the title III, by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”; and

(5) in each of sections 301 and 302 (15 U.S.C. 8841, 8842), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;

(r) CYBERSECURITY ENHANCEMENT ACT OF 2014.—  
(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. 7441, 7442), by striking “National Science Foundation” each place the term appears and inserting “National Science and Technology Foundation”;

(s) HIGH-PERFORMANCE COMPUTING ACT OF 1981.—  

(t) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1984.—  

(u) STEVENSON-WYTLER TECHNOLOGY INNOVATION ACT OF 1980.—  

(2) in section 9 (15 U.S.C. 3707)—  
(A) in the section heading, by inserting “AND TECHNOLOGY” after “NATIONAL SCIENCE”;

(B) in each of subsections (a) and (b), by striking “National Science Foundation” and inserting “National Science and Technology Foundation”;

(c) in subsection (c)—  
(1) by striking “National Science Foundation in” and inserting “National Science and Technology Foundation in”;

(2) by striking “National Science and Technology Foundation under” and inserting “National Science and Technology Foundation under”;

SA 2103. Ms. HASSAN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1. THREATS TO UNITED STATES FORCES FROM SMALL UNMANNED AERIAL SYSTEMS WORLDWIDE.

(a) FINDINGS.—Congress makes the following findings:  
(1) United States military forces face an ever increasing and constantly evolving threat from small unmanned aerial systems in operations worldwide, whether in the United States or abroad.

(b) EXECUTIVE AGENT.—  
(1) In general.—The Secretary of the Army shall be the executive agent of the Department of Defense for programs, projects, and activities to counter small unmanned aerial systems in this section referred to as the “Conventional and Small Unmanned Aerial Systems Program”.

(2) FUNCTIONS.—The functions of the Secretary as executive agent shall be as follows:  
(A) To carry out other such activities to counter threats to United States forces from small unmanned aerial systems as the Secretary of Defense and the Secretary of the Army consider appropriate.

(Signed)

June 25, 2020

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(3) Structure.—The Secretary as executive agent shall carry out the functions specified in paragraph (2) through such administrative structures as the Secretary considers appropriate.

(c) Strategy to Counter Threats From Small Unmanned Aerial Systems.—Not later than the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall develop and submit to relevant committees of Congress a strategy for the Armed Forces to effectively counter threats from small unmanned aerial systems worldwide. The report shall be in classified form.

(d) Report on Executive Agent Activities.—

(1) Report Required.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall submit to Congress a report on the Counter-Small Unmanned Aerial Systems Program.

(2) Elements.—The report required by paragraph (1) shall include the following:

(A) A description and assessment of the structure and activities of the executive agent as established and put in place by the Secretary as follows:

(i) Any obstacles hindering the effective discharge of its functions and activities, including limitations in authorities or policy.

(ii) Any plans to address management, rules of engagement, and training plans that are required in order to optimize the use by the Armed Forces of counter-small unmanned aerial systems.

(B) An assessment of the implementation of the strategy required by subsection (c), and a description of any updates to the strategy that are required in light of evolving threats to the Armed Forces from small unmanned aerial systems.

(e) Report on Threat from Small Unmanned Aerial Systems.—

(1) Report Required.—Not later than 180 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall submit to the appropriate committees of Congress a report that sets forth the results of the assessment required under the contract.

(2) Coordination.—The Secretary shall prepare the report required by paragraph (1) in coordination with the Director of the Defense Intelligence Agency and with such other appropriate officials of the intelligence community, and such other officials in the United States Government, as the Secretary considers appropriate.

(3) Elements.—The report required by paragraph (1) shall include the following:

(A) An evaluation and assessment of the current and evolving threat being faced by United States forces from small unmanned aerial systems.

(B) A description of the counter-small unmanned aerial systems acquired by the Department of Defense as of the date of the enactment of this Act, and an assessment whether such systems are adequate to meet the threat and evolving threat described in subparagraph (A).

(4) Appropriate Committees of Congress Defined.—In this subsection, the term ‘appropriate committees of Congress’ means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) Independent Assessment of Counter-Small Unmanned Aerial Systems Program.—

(1) Assessment.—Not later than 60 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall seek to enter into a contract with a Federally funded research and development center to conduct an assessment of the efficacy of the Counter-Small Unmanned Aerial Systems Program.

(2) Elements.—The assessment conducted pursuant to paragraph (1) shall include the following:

(A) An identification of metrics to assess progress in the implementation of the strategy required by subsection (c), which metrics shall take into account the threat assessment required for purposes of subsection (e).

(B) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics, and recommendations for improvements in the implementation of the strategy.

(C) An assessment of the extent to which the Department of Defense is coordinating adequately with other departments and agencies of the United States Government, and other appropriate entities, in the development and procurement of counter-small unmanned aerial systems for the Department.

(D) An assessment of the extent to which the designation of the Secretary of the Army as executive agent for the Counter-Small Unmanned Aerial Systems Program has reduced redundancies and increased efficiencies in procurement of counter-small unmanned aerial systems.

(E) An assessment whether United States technological capability on counter-small unmanned aerial systems is sufficient to maintain a competitive edge over the small unmanned aerial systems technology available to the United States.

(3) Report.—Not later than 180 days after entry into the contract referred to in paragraph (1), the Secretary shall submit to the congressional defense committees a report setting forth the results of the assessment required under the contract.

SA 2105. Ms. HASSAN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe manpower strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 161. COMPLAINT TRACKING SYSTEM.

(PART F—COMPLAINT TRACKING SYSTEM)

SEC. 161. COMPLAINT TRACKING SYSTEM.

(1) In General.—The Secretary shall maintain a complaint tracking system that includes a single, toll-free telephone number and a website to facilitate the centralized collection of, and response to, complaints and reports (including evidence, as available) of suspicious activity, such as unfair, deceptive, or abusive acts or practices, regarding:—

(A) Federal student financial aid and the servicing of postsecondary education loans by loan servicers;—

(B) Educational practices and services of institutions of higher education; and

(C) The recruiting and marketing practices of institutions of higher education.

(2) Definitions.—In this section:

(A) institution of higher education.—The term ‘institution of higher education’ has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(B) Recruiting and Marketing Activities.—The term ‘recruiting and marketing activities’ shall include the following:

(I) Advertising and promotion activities, including paid announcements in newspapers, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions on behalf of a military installation, or college recruiting events.

(II) Efforts to identify and attract prospective students, either directly or through a party contractor, for the purpose of a contact concerning a prospective student’s potential enrollment or application for grant, loan, or
work assistance under title IV or participation in predomination or advising activities, including—

(aa) paying employees responsible for overseeing and/or contacting potential students in person, by phone, by email, or by other Internet communications regarding enrollment; and
  (bb) requiring individuals to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.
  (III) Such other activities as the Secretary may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(ii) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution of higher education, if specifically authorized under such title, or is otherwise specified by the Secretary, shall not be considered to be a covered activity under this subparagraph.

(b) COMPLAINTS.—Complaints and reports of suspicious activity submitted to the tracking system by students, borrowers of student loans that submit complaints or reports of suspicious activity submitted to the Secretary concerning the complaint or report, including—

(A) the steps that have been taken by the institution or loan servicer to respond to the complaint or report;
  (B) all responses received by the institution or loan servicer from the complainant; and
  (C) any additional actions that the institution or loan servicer has taken, or plans to take, in response to the complaint or report.

(3) COMPLIANCE.—The Secretary shall—

(A) determine that an institution or loan servicer has, in a timely manner, comply with a request by the Secretary for information in the control or possession of such institution or loan servicer concerning a report of suspicious activity received by the Secretary under this subsection, including supporting documentation, subject to subparagraph (B); and
  (B) EXCEPTIONS.—An institution of higher education or loan servicer shall not be required to make available under this subsection—

(i) any nontoxic or confidential information, including any confidential commercial information;
  (ii) any information collected by the institution for the purpose of preventing fraud or detecting or making any report regarding other unlawful or potentially unlawful conduct; or
  (iii) any information required to be kept confidential by any other provision of law.

(4) PROVISION OF INFORMATION.—

(A) IN GENERAL.—An institution of higher education or loan servicer shall, in a timely manner, provide a response to complaints or reports of suspicious activity described in subsection (b) and directly address and resolve the complaint or report in the system. Not later than 60 days after receiving such notice, the Secretary shall prescribe, including paying for assistance under title IV or loan servicer under paragraph (2), ask additional questions of such institution or loan servicer or seek additional information from or action by the institution or loan servicer.

(b) EXCEPTIONS.—An institution of higher education or loan servicer shall not be required to make available under this subsection—

(i) any nontoxic or confidential information, including any confidential commercial information;
  (ii) any information collected by the institution for the purpose of preventing fraud or detecting or making any report regarding other unlawful or potentially unlawful conduct; or
  (iii) any information required to be kept confidential by any other provision of law.

(c) ESTABLISHMENT OF COMPLAINT TRACKING SYSTEM.—The Secretary shall establish within the Department an office whose functions shall include establishing and administering the complaint tracking system, and widely disseminating information about the complaint tracking system, established under this subsection. The Secretary shall—

(1) to the extent necessary, combine and consolidate with the functions and duties of the Department to ensure that the office established under this subsection is the single point of contact for students and borrowers with complaints or reports of suspicious activity regarding Federal student financial aid, student loan servicers, educational practices and services of institutions of higher education, and recruiting and marketing activities of institutions of higher education; and
  (2) to the extent practicable, ensure that the office established under this subsection will work with the Student Loan Ombudsman appointed in accordance with section 141(i) and the Student Loan Ombudsman of the Emergency Economic Stabilization Act of 2008, to assist borrowers of Federal student loans that submit complaints or reports of suspicious activity to the complaint tracking system.

(d) HANDLING OF COMPLAINTS.—

(1) TIMELY RESPONSE TO COMPLAINTS.—The Secretary shall establish, in consultation with the heads of appropriate agencies (including the Director of the Bureau of Consumer Financial Protection), reasonable procedures for providing a response to complainants not more than 90 days after receiving a complaint in the complaint tracking system, in writing where appropriate. Each response shall include a description of—

(A) the steps that have been taken by the Secretary in response to the complaint or report of suspicious activity;
  (B) any responses received by the Secretary from the institution of higher education or from a servicer; and
  (C) any additional actions that the Secretary plans to take, in response to the complaint or report of suspicious activity.

(2) TIMELY RESPONSE TO SECRETARY BY INSTITUTION OR LOAN SERVICER.—If the Secretary determines that it is necessary, the Secretary shall notify an institution of higher education or loan servicer that is the subject of a complaint or report of suspicious activity through the complaint tracking system under this subsection, and requests that the institution or loan servicer provide a response to the Secretary concerning the complaint or report, including—

(A) the steps that have been taken by the institution or loan servicer to respond to the complaint or report;
  (B) all responses received by the institution or loan servicer from the complainant; and
  (C) any additional actions that the institution or loan servicer has taken, or plans to take, in response to the complaint or report.

(3) FURTHER INVESTIGATION.—The Secretary may, in the event that the complaint is not adequately resolved or addressed by the responses of the institution of higher education or loan servicer under paragraph (2), ask additional questions of such institution or loan servicer or seek additional information from or action by the institution or loan servicer.

(4) PROVISION OF INFORMATION.—

(A) IN GENERAL.—An institution of higher education or loan servicer shall, in a timely manner, provide a response to complaints or reports of suspicious activity under paragraph (2), ask additional questions of such institution or loan servicer concerning a report of suspicious activity received by the Secretary under this subsection, including supporting documentation, subject to subparagraph (B).

(c) EXCEPTIONS.—An institution of higher education or loan servicer shall not be required to make available under this subsection—

(i) any nontoxic or confidential information, including any confidential commercial information;
  (ii) any information collected by the institution for the purpose of preventing fraud or detecting or making any report regarding other unlawful or potentially unlawful conduct; or
  (iii) any information required to be kept confidential by any other provision of law.

(d) COMPLIANCE.—An institution of higher education or loan servicer shall comply with the requirements to provide responses and information, in accordance with this subsection—

(1) in the case of a complaint or report of suspicious activity received under title IV or as a condition of the contract with the Department, as applicable.

(e) TRANSMISSION OF INFORMATION.

(1) COLLECTING AND SHARING INFORMATION WITH FEDERAL, STATE, AND NATIONALLY RECOGNIZED ACCREDITING AGENCIES.—In accordance with section 346 of the General Education Provisions Act, the Department may provide personal information, including—

(A) any additional actions that the Secretary has taken, or plans to take, in response to the complaint or report; and
  (B) all responses received by the Secretary from the institution or loan servicer.

(2) INTERACTION WITH EXISTING COMPLAINT TRACKING SYSTEMS.—The Department shall—

(A) contract for the use of the consumer Financial Protection, the Bureau Consumer Sentinel Network, the Bureau of Consumer Financial Protection, any equivalent State agency, or the relevant nationally recognized accrediting agency or association.

(2) INTERACTION WITH EXISTING COMPLAINT TRACKING SYSTEMS.—To the extent practicable, all procedures established under this section, and all coordination carried out under paragraph (1), shall be established and carried out in accordance with the complaint tracking systems established under Executive Order 13607 (77 Fed. Reg. 23861; relating to establishing principles of excellence for educational institutions serving servicemembers, veterans, spouses, and other family members).

(3) PUBLIC INFORMATION.—

(A) IN GENERAL.—The Secretary shall, on an ongoing basis, publish on the website of the Secretary, information on the complaints and reports of suspicious activity received for each institution of higher education or loan servicer under this subsection, including—

(i) the number of complaints and reports received; and
  (ii) the types of complaints and reports the Secretary has received under this section;
  (iii) the extent to which complaints are receiving adequate resolution pursuant to this section;
  (iv) whether particular types of complaints or reports are more common in a given sector of institutions of higher education or with particular loan servicers;
  (v) any legislative recommendations that the Secretary determines are necessary to better assist students and families regarding the activities described in subsection (a)(A); and
  (vi) the institutions of higher education and loan servicers with the highest volume of complaints and reports, as determined by the Secretary.

SA 2106. Mrs. GILLIBRAND (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize ap-

propriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. INCREASE IN AUTHORIZATIONS FOR TOXIC SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—The amount authorized to be appropriated by this Act for fiscal year 2021 for the accounts of the Department of Defense specified in subsection (b) shall be increased by the amounts specified in such subsection and the amount of such increase shall be used for purposes of remediation of perfluroalkyl and polychloroalkyl substances and polylfluoroalkyl substances.

(b) ACCOUNTS INCREASED.—The accounts of the Department specified in this subsection,
and the amounts of any increase so specified, are the following:
(1) The amount authorized to be appropriated for Environmental Restoration, Navy shall be increased by $17,000,000.
(2) The amount authorized to be appropriated for Operation and Maintenance, Navy shall be increased by $13,000,000.
(3) The amount authorized to be appropriated for Operation and Maintenance, Army National Guard shall be increased by $25,000,000.
(4) The amount authorized to be appropriated for Operation and Maintenance, Air National Guard shall be increased by $15,000,000.

(c) OFFSET.—The amount authorized to be appropriated by this Act for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2107. CYBERSECURITY EDUCATION AND TRAINING ASSISTANCE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the United States continues to face critical shortages in the national cybersecurity workforce;
(2) the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security has the responsibility to manage cyber and physical risks to our critical infrastructure, including by ensuring a national workforce supply to support cybersecurity through education, training, and capacity development efforts;
(3) to reestablish the technology leadership, security, and economic competitiveness of the United States, the Cybersecurity and Infrastructure Security Agency should develop a sustainable pipeline by strengthening K-12 cybersecurity outreach and education nationwide;

(b) AUTHORITIES.—Section 2202(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 652(e)(1)) is amended by adding at the end the following:

‘‘(2) The amount authorized to be appropriated by this Act for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2215. CYBERSECURITY EDUCATION AND TRAINING PROGRAMS.

(a) ESTABLISHMENT.—
(1) In general.—The Cybersecurity Education and Training Assistance Program (referred to in this section as ‘‘CETAP’’) is established within the Department of Energy.
(2) Purpose.—The purpose of CETAP shall be to support the effort of the Agency in building and strengthening a national cybersecurity workforce through enabling K-12 cybersecurity education, including by—
(A) providing foundational cybersecurity awareness and literacy;
(B) encouraging cybersecurity career exploration; and
(C) supporting the teaching of cybersecurity skills at the K-12 levels.

(b) REQUIREMENTS.—In carrying out CETAP, the Director shall—
(1) ensure that the program—
(A) creates and disseminates K-12 cybersecurity-focused curricula and career awareness materials;
(B) conducts professional development sessions for teachers;
(C) develops resources for the teaching of K-12 cybersecurity-focused curricula;
(D) provides direct student engagement opportunities through camps and other programs;
(E) engages with local and State education authorities to promote awareness of the program and ensure that offerings align with State and local government education standards;
(F) integrates with existing post-secondary education and workforce development programs at the Department;
(G) establishes national standards for K-12 cyber education;
(H) partners with cybersecurity and education stakeholder groups to expand outreach; and
(I) any other activity the Director determines necessary to meet the purposes described in subsections (A) through (H).

(c) ACTIVITIES.—Activities funded with grants under this section may include the following:

(1) Building and strengthening a pipeline of future cybersecurity professionals through programs focused on K-12, higher education, and non-traditional students; and
(2) Other activities. ‘‘(I) increasing the pipeline of future cybersecurity professionals through programs focused on K-12, higher education, and non-traditional students; and
(3) Building awareness of and competency in cybersecurity across the civilian Federal government workforce.’’.

(c) EDUCATION, TRAINING, AND CAPACITY DEVELOPMENT.—Section 2320(c) of the Homeland Security Act of 2002 (6 U.S.C. 652(c)) is amended to—
(1) redesignate paragraph (11) as paragraph (12);
(2) in paragraph (10), by striking ‘‘and’’ at the end; and
(3) by inserting after paragraph (10) the following:
‘‘(11) provide education, training, and capacity development for Federal and non-Federal entities to improve the security and resiliency of domestic and global cybersecurity and infrastructure security and’’;
(4) ESTABLISHMENT OF TRAINING PROGRAMS.—Subtitle B of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

SEC. 2215. CYBERSECURITY EDUCATION AND TRAINING PROGRAMS.

(a) ESTABLISHMENT.—
(1) In general.—The Cybersecurity Education and Training Assistance Program (referred to in this section as ‘‘CETAP’’) is established within the Department of Energy.
(2) Purpose.—The purpose of CETAP shall be to support the effort of the Agency in building and strengthening a national cybersecurity workforce through enabling K-12 cybersecurity education, including by—
(A) providing foundational cybersecurity awareness and literacy;
(B) encouraging cybersecurity career exploration; and
(C) supporting the teaching of cybersecurity skills at the K-12 levels.

(b) REQUIREMENTS.—In carrying out CETAP, the Director shall—
(1) ensure that the program—
(A) creates and disseminates K-12 cybersecurity-focused curricula and career awareness materials;
(B) conducts professional development sessions for teachers;
(C) develops resources for the teaching of K-12 cybersecurity-focused curricula;
(D) provides direct student engagement opportunities through camps and other programs;
(E) engages with local and State education authorities to promote awareness of the program and ensure that offerings align with State and local government education standards;
(F) integrates with existing post-secondary education and workforce development programs at the Department;
(G) establishes national standards for K-12 cyber education;
(H) partners with cybersecurity and education stakeholder groups to expand outreach; and
(I) any other activity the Director determines necessary to meet the purposes described in subsections (A) through (H).

(c) ACTIVITIES.—Activities funded with grants under this section may include the following:

(1) Building and strengthening a pipeline of future cybersecurity professionals through programs focused on K-12, higher education, and non-traditional students; and
(2) Other activities. ‘‘(I) increasing the pipeline of future cybersecurity professionals through programs focused on K-12, higher education, and non-traditional students; and
(3) Building awareness of and competency in cybersecurity across the civilian Federal government workforce.’’.

‘‘(D) information on coordination with post-secondary education and workforce development programs at the Department.

(4) MISSION PROMOTION.—The Director may use appropriated amounts to purchase promotional and recognition items and marketing and advertising services to publicize and promote the mission and services of the Agency, to support the activities of the Agency, and to recruit and retain Agency personnel.’’.

(e) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-266; 116 Stat. 2315) is amended by inserting after the item relating to section 2214 the following:

‘‘Sec. 2215. Cybersecurity Education and Training Programs.’’.

Thornton. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 3. GRANTS TO SUPPORT STEM EDUCATION IN THE JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) PROGRAM REQUIRED.—
(1) In general.—Chapter 102 of title 10, United States Code, is amended by adding at the end the following:

‘‘2036. Grants to support science, technology, engineering, and mathematics education

‘‘(a) PROGRAM REQUIRED.—The Secretary, in consultation with the Secretary of Education, may carry out a program to make grants to eligible entities to assist such entities in providing education in covered subjects to students in the Junior Reserve Officers’ Training Corps.

(b) COORDINATION.—In carrying out the program under subsection (a), the Secretary may coordinate with the following:

(1) The Secretaries of the military departments.
(2) The Secretary of Education.
(3) The Director of the National Science Foundation.
(4) The Administrator of the National Aeronautics and Space Administration.

(b) The heads of other Federal, State, and local government entities the Secretary of Defense determines to be appropriate.

(c) ACTIVITIES.—Activities funded with grants under this section may include the following:

(1) Training and other support for instructors to teach courses in covered subjects to students.
(2) The acquisition of materials, hardware, and software necessary for the instruction of covered subjects.
(3) Activities that improve the quality of educational materials, training opportunities, and curricula available to students and instructors in covered subjects.
(4) Development of travel opportunities, demonstration projects, mentoring programs, and informal education in covered subjects for students and instructors.
“(5) Students’ pursuit of certifications in covered subjects.

“(d) PREFERENCE.—In making grants under this section, the Secretary shall give preference to eligible entities that are eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

“(e) EVALUATIONS.—The Secretary shall establish outcome-based metrics and internal and external assessments to evaluate the merits and benefits of the activities funded with assistance under this section with respect to the needs of the Department of Defense.

“(f) AUTHORITIES.—In carrying out the program under this section, the Secretary shall, to the extent practicable, make use of the authorities under chapter 111 and sections 2601 and 2605 of this title, and other authorities the Secretary deems appropriate.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘eligible entity’ means a local education agency that hosts a unit of the Junior Reserve Officers’ Training Corps.

“(2) The term ‘covered subjects’ means—

“(A) science;

“(B) technology;

“(C) engineering;

“(D) mathematics;

“(E) computer science;

“(F) computational thinking;

“(G) artificial intelligence;

“(H) machine learning;

“(I) data science;

“(J) cybersecurity;

“(K) robotics; and

“(L) other subjects determined by the Secretary of Defense to be related to science, technology, engineering, and mathematics.”.

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the activities carried out under section 2036 of title 10, United States Code (as added by subsection (a)).

SA 2109. Ms. DUCKWORTH submitted an amendment intended to be proposed by her, S 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1262. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH VIETNAM, THAILAND, AND INDONESIA.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may establish a pilot program in Vietnam, Thailand, and Indonesia—

(1) to enhance the cyber security, resilience, and innovation of Vietnam, Thailand, and Indonesia; and

(2) to increase regional cooperation between the United States and Vietnam, Thailand, and Indonesia on cyber issues.

(b) ELEMENTS.—The activities of the pilot program under subsection (a) shall include the following:

(1) Initial training of cybersecurity and computer science professionals in Vietnam, Thailand, and Indonesia.

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of Vietnam, Thailand, and Indonesia with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(5) A feasibility study on establishing a public-private partnership to build cloud computing capacity in Vietnam, Thailand, and Indonesia and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of Vietnam, Thailand, and Indonesia.


(d) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Appropriations, the Committee on Foreign Relations of the Senate; and the Committee on Foreign Affairs of the House of Representatives.

SA 2110. Mr. CARPER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1262. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH VIETNAM, THAILAND, AND INDONESIA.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may establish a pilot program in Vietnam, Thailand, and Indonesia—

(1) to enhance the cyber security, resilience, and innovation of Vietnam, Thailand, and Indonesia; and

(2) to increase regional cooperation between the United States and Vietnam, Thailand, and Indonesia on cyber issues.

(b) ELEMENTS.—The activities of the pilot program under subsection (a) shall include the following:

(1) Initial training of cybersecurity and computer science professionals in Vietnam, Thailand, and Indonesia.

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of Vietnam, Thailand, and Indonesia with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(5) A feasibility study on establishing a public-private partnership to build cloud computing capacity in Vietnam, Thailand, and Indonesia and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of Vietnam, Thailand, and Indonesia.


(d) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Appropriations, the Committee on Foreign Relations of the Senate; and the Committee on Foreign Affairs of the House of Representatives.
an employee in fire protection activities may be subject.

"(B) Without regard to the length of time that an employee in fire protection activities has been employed, any uncommon infectious disease, including—

"(i) tuberculosis;

"(ii) hepatitis A, B, or C;

"(iii) human immunodeficiency virus (commonly known as ‘HIV’); and

"(iv) any other uncommon infectious disease, the contraction of which the Secretary of Labor determines to be related to the hazards to which an employee in fire protection activities may be subject.

(c) REPEAL.—Not later than 5 years after the date of enactment of this Act, the Director of the National Institute for Occupational Safety and Health shall—

(1) examine the implementation of this section, and the amendments made by this section, and appropriate scientific and medical data relating to the health risks associated with firefighting; and

(2) submit to Congress a report, which shall include—

(A) an analysis of the claims for compensation made under the amendments made by this section;

(B) an analysis of the available research relating to the health risks associated with firefighting; and

(C) recommendations for any administrative or legislative actions necessary to ensure that those diseases most associated with firefighting, as included in the assumptions under subsection (c) of section 8102 of title 5, United States Code, as added by subsection (b) of this section.

(d) APPOINTMENT.—The amendments made by this section shall apply to a disability or death that occurs on or after the date of enactment of this Act.

SA 2111. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. EXCLUSION OF IMPOSITION OF DUTIES AND IMPORT QUOTAS FROM PRESIDENTIAL AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.


(1) by redesignating subsection (c) as subsection (d); and

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

(c)(1) The authority granted to the President by section 203 does not include the authority to impose duties or tariff-rate quotas or (subject to paragraph (2)) other quotas on articles entering the United States.

(2) The renumbered subsection (c) does not prohibit the President from excluding all articles, or all of a certain type of article, imported from a country from entering the United States.

SA 2112. Ms. BALDWIN (for herself, Mr. MURPHY, Mr. BUMENHAL, Mrs. SHARROCK, Mr. HASSE, Mr. MENEZDES, Ms. WARREN, Mr. JONES, Mr. BENNET, Ms. HIRONO, Mr. MARKEY, Mr. DURBIN, Mr. SCHATZ, Mr. KAINE, Mr. WARNER, Ms. HARRIS, Ms. DUCKWORTH, Mr. BROWN, Mr. SCHUMER, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection (c) of section 101, add the following:

Subtitle H—Transparency and Delivery of Medical Supplies

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the "Medical Supply Transparency and Delivery Act'.

SEC. 1092. EMERGENCY PROCUREMENT OF MEDICAL EQUIPMENT AND SUPPLIES TO ADDRESS COVID-19.

(a) EXECUTIVE OFFICER FOR CRITICAL MEDICAL EQUIPMENT AND SUPPLIES.—

(1) APPOINTMENT.—Not later than 3 days after the date of enactment of this Act, the Secretary of Defense shall appoint, detail, or temporarily assign to serve as the Executive Officer for Critical Medical Equipment and Supplies (in this section referred to as the "Executive Officer"), who shall—

(A) direct, through the National Response Coordination Center of the Federal Emergency Management Agency, the national production and distribution of critical medical equipment and supplies, including personal protective equipment, in support of the response of the Federal Emergency Management Agency to the Coronavirus Disease 2019 (commonly known as "COVID–19"); and

(B) report directly to the Administrator of the Federal Emergency Management Agency for the duration of the appointment, detail, or temporary assignment.

(2) QUALIFICATIONS.—The Secretary of Defense, in consultation with the Administrator of the Federal Emergency Management Agency, shall select the individual to serve as the Executive Officer from among individuals who have experience in defense and industrial acquisition and production matters, including such matters as described in section 66b(a)(1)(B) of title 10, United States Code.

(3) AUTHORIZATIONS.—The Executive Officer, acting through the National Response Coordination Center and in direct consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall use all available Federal acquisition authorities, including the authorities described under sections 101(b), 102, 301, 302, 303, 704, 705, 706, 708(c) and (d), and 710 of the Defense Production Act of 1950 (50 U.S.C. 4511(b), 402, 4501, 4502, 4503, 4544, 4555, 4556, 4558 (c) and (d), and 4560), to oversee all acquisition and logistics functions related to the response by the National Response Coordination Center to COVID–19.

(4) RESPONSIBILITIES.—The Executive Officer, as the officer overseeing the acquisition and logistics functions of the response by the National Response Coordination Center to COVID–19, shall—

(A) receive all requests for equipment and supplies, including personal protective equipment, from States and Indian Tribes;

(B) make recommendations to the President on utilizing the full authorities available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to increase production capacity as identified under subparagraphs (C) and (H) of subsection (c)(1);

(C) ensure that allocation of critical resources is carried out in a manner consistent with the needs identified in the reports required by subsection (c); in consultation with the Federal Emergency Management Agency, the Department of Health and Human Services, the Defense Logistics Agency, and other Federal agencies participating in the distribution of critical equipment and supplies to the States and Indian Tribes, through existing commercial distributors where practical;

(D) communicate with State and local governments and Indian Tribes with respect to availability and delivery schedule of equipment and supplies;

(E) contribute to the COVID–19 strategic testing plan required by title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139) to ensure the Secretary of Health and Human Services includes in that plan a comprehensive plan to scale production and optimize distribution of COVID–19 tests, including molecular, antigen, and serological tests, in the United States; and

(G) establish, in direct consultation with the Secretary of Health and Human Services, and the heads of any other appropriate Federal agencies, a comprehensive plan to address necessary supply chain issues in order to rapidly scale up production of a SARS–CoV–2 vaccine.

(5) TRANSPARENCY.—The Executive Officer shall make available, including on a publicly accessible website, information not less frequently than every 3 days, including—

(A) the reports required by subsection (c);

(B) requests for equipment and supplies from State governments and Indian Tribes;

(C) standards used for data collection;

(D) metrics, formulas, and criteria used to determine allocation of equipment and supplies, and any related chain of command making final decisions on allocations;

(E) the amount and destination of equipment and supplies delivered; and

(F) an explanation of why any portion of a purchase order placed under subsection (d), whether to replenish the Strategic National Stockpile or otherwise, will not be filled;

(G) the percentage amounts of procured products used to replenish the Strategic National Stockpile, or COVID–19 hotspots, or going into the commercial market;

(H) the metrics, formulas, and criteria used to determine hotspots or areas of critical need at the State, county, and Indian Health Service area level;

(I) production and procurement benchmarks, where practicable; and

(J) results of the outreach and stakeholder reviews required by subsection (c).

(b) ADDITIONAL PERSONNEL.—The Secretary of Defense may detail members of the armed forces on active duty, or additional civilian employees of the Department of Defense, as appropriate, to serve in acquisition in acquisition matters, to support the Executive Officer.

(7) TERMINATION.—The office of the Executive Officer shall terminate 30 days after the Executive Officer certifies in writing to Congress that all needs of States and Indian Tribes identified in reports submitted under subsection (c) have been met and all Federal Government stockpiles have been replenished.

(b) COMMERCIAL, SECTOR PARTICIPATION.—

(1) The Executive Officer shall collect and compile data from each of the commercial distributors that is able to fulfill purchase orders authorized by this subsection, to determine how Federal Emergency Management Agency, the Defense Logistics Agency, the Department of Health and
Human Services, the Department of Veterans Affairs, and any other appropriate Federal agencies.

(2) DATA INCLUDED.—The data to be collected and compiled under paragraph (1) includes—

(A) the name and address of each delivery of supplies and equipment under a purchase order authorized under this section; and

(B) the number of such supplies and equipment delivered; and

(C) the date of each such delivery.

(c) REPORTS REQUIRED.—

(1) GENERAL.—Not later than 7 days after the date of the enactment of this Act, and every 7 days thereafter until the termination date described in subsection (a)(7), the President shall submit to Congress a summary of—

(A) an assessment of the needs of the States and Indian Tribes for equipment and supplies, including—

(i) the quantities of equipment and supplies necessary to rapidly expand manufacturing production capacity for such equipment and supplies; and

(ii) any efforts to establish new production lines through the purchase and installation of new equipment of or unique equipment and supplies necessary to rapidly increase production capacity for such equipment and supplies identified in subparagraph (A); and

(B) a review of the implementation during the preceding submission of the report and, of the metrics needed by county and Indian Health Service area in the United States and the metrics needed by the Federal Emergency Management Agency, the Defense Logistics Agency, the Department of Health and Human Services, the Department of Veterans Affairs, and other Federal agencies as appropriate, to assess the extent to which the United States is prepared for and respond to a future pandemic; and

(2) DISPOSITION OF UNUSED EQUIPMENT AND SUPPLIES.—Any equipment or supplies procured pursuant to paragraph (1) amounts from the Defense Production Act Fund and in excess of needs identified in reports required by subsection (c) shall be deposited in the Strategic National Stockpile.

(3) AUTHORIZATION OF CONGRESS TO IMPOSE PRICE CONTROLS.—Paragraph (1)(A) shall be deemed to be a joint resolution authorizing Congress to impose price controls for purposes of the Defense Production Act of 1950 (50 U.S.C. 5141(a)).

(e) WAIVER OF REQUIREMENTS.—

(1) FUNDING.—Amounts available in the Defense Production Act Fund under section 204 of the Defense Production Act of 1950 (50 U.S.C. 4534) shall be available for purchases made under this section.

(2) PROPERTY.—Any property owned or controlled by the United States shall be delivered to the Secretary of the Treasury.

(f) FUNDING.—Amounts available in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) shall be available for purchases made under this section.

(g) DEFINITIONS.—

(1) INDIAN TRIBE.—The term "Indian Tribe" has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) INDIAN HEALTH SERVICE AREA.—The term "Indian Health Service area" has the meaning given the term "Service area" in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1601).

(3) STATE.—The term "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.

(4) UNIFORMED SERVICES.—The term "uniformed services" means the Armed Forces of the United States.

SEC. 1094. OVERSIGHT.

(a) IN GENERAL.—The Chairperson of the Council of the Inspectors General on Integrity and Efficiency shall designate any Inspector General responsible for conducting oversight of any program or operation performed in support of this subtitle to oversee the implementation of the purposes of this section to the maximum extent practicable and consistent with the duties, responsibilities, policies, and procedures of that Inspector General.

(b) TERMINATION.—The Chairperson of the Inspector General under subsection (a) may be terminated only for permanent incapacity, inefficiency, neglect of duty, malfeasance, or conviction of a felony or conduct involving moral turpitude.

SA 2113. Ms. BALDWIN (for herself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. LEAHY, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection P of title X, add the following:

SEC. 1064. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON CER- TAIN USES OF THE NATIONAL GUARD.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the use of the National Guard when members and units of the National Guard are performing training or duty under the authorities in title 32, United States Code.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the use of the National Guard to perform or support Federally funded operations or missions under title 32, United States Code, during the period beginning on October 1, 1999, and ending on the date of the enactment of this Act, including operations or missions related to any of the following:

(A) Airport security.

(B) Disaster relief support.

(C) Support for, or participation in, law enforcement activities, including, but not limited to, law enforcement activities along the United States border.

(D) Cybersecurity and intelligence support.

(E) Pandemic response in connection with the Coronavirus Disease 2019 (COVID–19).
SA 2114. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 445, line 3, strike ‘‘costs’’ and insert ‘‘costs, impacts, costs.’’

On page 445, line 6, insert ‘‘, including criticality to program and mission accomplishment’’ after ‘‘industrial base’’.

On page 445, line 7, strike ‘‘costs’’ and insert ‘‘costs, impacts, costs.’’

On page 448, line 24, insert ‘‘, including costs to reconstitute capability should such capability be lost to competition’’ after ‘‘base’’.

SA 2115. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 815. PROCUREMENT OF GOODS FOR THE FFG-FRIGATE PROGRAM.

Amounts authorized to carry out the FFG-Frigate program shall be used for the acquisition of components manufactured in the United States at a lower cost, or comparable foreign components if the Navy determines that the component manufactured in the United States:

(1) is already qualified to applicable standards and certifications;

(2) is already fielded on other United States Navy ships;

(3) provides significant life-cycle cost savings through fuel usage and on-ship maintenance capability;

(4) offers FFGX a higher documented operational availability with substantiated Mean Time Between Failure (MTBF) and Mean Time To Repair (MTTR) values from United States and United States Navy-approved Failure Mode Effects Analysis (FMEA); and

(b) Analysis (FMEA); and

is critical for sustaining the domestic industrial capacity of other United States Navy ship programs.

SA 2116. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1262. PLAN TO RESPOND TO NATURAL DISASTERS IN BANGLADESH.

(1) FFE General provision of State, in consultation with the Secretary of Defense and the Administrator of the United

SA 2117. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1622.

SA 2118. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1311.

SA 2119. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3114.

SA 2120. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3116.

SA 2121. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. PLAN TO RESPOND TO NATURAL DISASTERS IN BANGLADESH.

(a) In General.—Subtitle E of title XII, add the following:

(1) includes recommendations for legislative or administrative action to reform or clarify authorities on training or duty of members of the National Guard under title 32, United States Code.

(2) A description and assessment of the fulfillment'' after ''industrial base''.

(3) A description and assessment of the accomplishment'' after ''industrial base''.

(4) A description and assessment of the reconstitute capability should such military service shall not bear an interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.''

(b) STUDENT LOAN.—The term ‘‘student loan’’ means the following:

(1) in paragraph (1), by inserting ‘‘ON DEBT INCURRED BEFORE SERVICE’’ after ‘‘LIMITATION TO 6 PERCENT’’;

(2) by redesigning paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

‘‘(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember’s spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.’’;

(4) in paragraph (2), redesignated by paragraph (2) of this subsection, by inserting ‘‘or (2)’’ after paragraph (1)’’; and

(5) in paragraph (4), as so redesignated, by striking paragraph (2)’’ and inserting paragraph (3)’’.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1)(A), by striking the ‘‘interest rate limitation in subsection (a)’’ and inserting ‘‘an interest rate limitation in paragraph (1) or (2) of subsection (a)’’; and

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ‘‘EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY’’ and inserting ‘‘EFFECTIVE DATE’’; and

(B) by inserting at the end the following: ‘‘in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability incurred under subsection (a)(2).’’

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

‘‘(3) Student loan.—The term ‘student loan’ means the following:’’

A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

‘‘(3) STUDENT LOAN.—The term ‘student loan’ means the following:’’

A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

‘‘(3) STUDENT LOAN.—The term ‘student loan’ means the following:’’

A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).
States Agency for International Development, shall develop a plan to respond to—

(1) destabilization in Bangladesh caused by natural disasters; and

(2) other effects associated with disruptions to the global climate system.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) A scenario relief plan with respect to population displacement in Bangladish, developed in accordance with established international humanitarian principles, that shall serve as a national plan to prepare more broadly for large-scale, permanent population displacement in South Asia.

(2) An assessment of methods to ensure United States defense and civilian preparedness for global, regional, or local disruptions in logistics that may effect the operations of the Armed Forces or the operations of the military forces of United States allies.

(3) A determination of the impact of, steps that may be taken to prevent, and a contingency plan to address, destabilization in Bangladesh, including changes in the likelihood of interstate conflict and the loss of control of nuclear weapons in Bangladesh.

(4) Recommendations, developed in consultation with the Government of Bangladish, on the manner in which the United States can improve the stability of Bangladesh.

(c) SUBMITTAL TO CONGRESS.—

(1) SCOPE OF PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report describing the scope of the plan required by subsection (a).

(2) COMPLETED PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress the completed plan required by subsection (a).

(3) F ORM.—The reports under this paragraph shall be submitted in unclassified form but may include a classified annex.

(d) EFFECT OF CONGRESS DEFINED.—In this subsection, the term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2122. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 111. CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) CHARTER OF DUTIES AND AUTHORITY.—

In consideration of the findings and recommendations in the Independent Assessment of the Chief Management Officer of the Department of Defense made by the Secretary of Defense in coordination with the Deputy Secretary of Defense and the Chief Management Officer, the Secretary of Defense shall, in coordination with the Deputy Secretary of Defense and the Chief Management Officer, not later than 90 days after the date of the enactment of this Act, issue an official charter specifying the duties, responsibilities, and authorities of the Chief Management Officer.

(b) REPORT.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall, in coordination with the Deputy Secretary and the Chief Management Officer, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A description of the issues identified, and recommendations made, by the Deputy Secretary and the Chief Management Officer.

(2) A description and assessment of the actions taken by the Department of Defense to reaffirm the independent authority of the Chief Management Officer in bringing about of transformational business process changes in the Department.

SA 2123. Mr. MANCHIN (for himself, Ms. HIRONO, Ms. SMITH, Mrs. BLACKBURN, Mr. HAWLEY, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. ___ INCLUSION OF NATIONAL GUARD IN THE ANNUAL REPORTS ON THE UNFUNDED PRIORITIES OF THE ARMED FORCES.—

(a) IN GENERAL.—Section 22a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ‘‘or combatant command’’ and inserting ‘‘, combatant command, or National Guard components’’; and

(2) in subsection (b), by adding at the end the following new paragraph:

‘‘§ 222a. Unfunded priorities of the armed forces, combatant commands, and National Guard: annual report’’.

(b) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended by striking the item relating to section 222a and inserting the following new item:

‘‘§ 222a. Unfunded priorities of the armed forces, combatant commands, and National Guard: annual report.’’.

SA 2126. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 603. TERMINATION OF PRORATION IN PAYMENT OF HAZARDOUS DUTY PAY FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) TERMINATION.—Subsection (c) of section 351 of title 37, United States Code, is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by inserting ‘‘FOR MEMBERS ENTITLED TO BASIC PAY’’ after ‘‘PRORATION’’; and

(B) in the matter preceding subparagraph (A), by inserting ‘‘entitled to basic pay’’ after ‘‘If a member’’; and

(2) by adding at the end the following new paragraph:

‘‘(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020, and shall apply to hazardous duty performed on or after that date.’’

SA 2127. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. ___ SENSE OF CONGRESS ON UNITED STATES-INDIA DEFENSE RELATIONSHIP.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the United States has made meaningful progress in strengthening its major defense partnership with India; and

(2) maintaining a broad-based strategic partnership, underpinned by shared interests...
and objectives in promoting a rules-based international system;
(B) establishing the joint/tri-service exercise, Tiger TRIUMPH, focused on amphibious operations;
(C) building joint peacemaking capacity efforts;
(D) enhancing United States-India maritime domain awareness cooperation;
(E) leveraging the secure communications equipment enabled by the Communications Compatibility and Security Agreement;
(F) installing liaison officers at United States Naval Forces Central Command and the maritime Information Fusion Center of India;
(G) establishing a secure hotline for the four 2+2 Ministers, which is the consultation mechanism between:
(i) the Secretary of State and the Secretary of Defense; and
(ii) the Minister of External Affairs and the Minister of Defence of India; and
(H) discussing critical mutual defense issues at the first quadrilateral ministerial-level meeting on the sidelines of the United Nations General Assembly among the United States, India, Australia, and Japan in September 2019; and
(2) the United States should strengthen and expand its major defense partnership with India by:
(A) expanding defense-specific engagement in multinational frameworks, including the Quad, among the United States, India, Japan, and Australia, to promote regional security and defend shared values and common interests in the rules-based order;
(B) increasing the frequency and scope of exchanges between senior military officers of the United States and India to support the development and implementation of the major defense partnership;
(C) exploring additional steps to implement the major defense partner designation to better facilitate interoperability, information sharing, and appropriate technology transfers;
(D) pursuing strategic initiatives to help develop the defense capabilities of India;
(E) conducting additional combined exercises with India in the Persian Gulf, Indian Ocean, and the Indo-Pacific region;
(F) furthering cooperative efforts to promote stability and security in Afghanistan;
(G) committed to concluding the two remaining “enabling agreements”, which are:
(i) the Industrial Security Agreement; and
(ii) the Basic Exchange and Cooperation Agreement;
(H) fully and quickly implementing of the Communications Compatibility and Security Agreement, which is critical to advancing United States-India interoperability;
(I) continuing the efforts of the Command of the United States-India Pacific Command, in cooperation with the Minister of Defence of India—
(i) to retrofit existing United States-origin equipment; and
(ii) to incorporate communications security into future United States defense sales;
(J) focusing on several priority areas for cooperation, including Air Launched Small Unmanned Aerial Systems, Lightweight Small Arms Technologies, and Intelligence Surveillance, Targeting and Reconnaissance;
(K) establishing a cyber-to-military cooperation, including more joint/tri-service cooperation;
(L) enhancing maritime operational cooperation and information sharing;
(M) increasing Professional Military Education opportunities and exchanges between personnel; and
(N) strengthening cooperation between the Army, Air Force, and Special Operations Forces of the United States and the military forces of India; and
(O) identifying additional practical areas for cooperation within the United States and India in and beyond the Indo-Pacific region.
(3) The U.S. should commend India on its recent decision to move to a policy of decreasing purchases of Russian-made weapons systems and encourage them to be mindful of when considering future purchases of Russian-made systems.

SA 2128. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1002. UNDER SECRETARY OF DEFENSE (COMPTROLLER) REPORTS ON IMPROVING THE BUDGET JUSTIFICATION AND RELATED MATERIALS OF THE DEPARTMENT OF DEFENSE.

(A) REPORTS REQUIRED.—Not later than April 1 of each of 2021 through 2025, the Comptroller shall—
(1) update and modernize the format of such materials in order to account for significant improvements in document management and data visualization;
(2) increase the scope of such materials and enhance data accuracy and consistency in such materials;
(3) assess the extent to which the Department is implementing the modernization of covered materials; and
(4) decrease the number of organizational levels that must review and receive such materials.

(B) PURPOSE.—The purpose of this section is to—
(1) improve the timeliness and comprehensiveness of budget justification materials;
(2) support the Department of Defense in improving the budget process and related materials, to include—
(A) improving the quality and timeliness of budget justification materials for the Department of Defense;
(B) providing guidance to the Department of Defense on the budget process and related materials; and
(C) ensuring that budget justification materials are prepared in a manner consistent with the requirements of the United States Code.

(C) FORM.—The budget justification materials required by this section shall be prepared in a manner consistent with the requirements of the United States Code.

(D) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) Activities to expand bilateral and multilateral security cooperation in the Western Hemisphere region.

(E) ELABORATION.—The strategy required by subsection (a) may—
(1) cover—
(A) efforts to increase the frequency and scope of Department of Defense exercises and training with partner countries in the Western Hemisphere;
(B) efforts to ensure compliance with internationally-recognized human rights standards.

(F) FORM.—The strategy required by subsection (a) shall be prepared in a manner consistent with the requirements of the United States Code.

(G) REQUIREMENT.—The strategy required by subsection (a) shall be submitted to the congressional defense committees after the date of the enactment of this Act.

(H) IMPLEMENTATION.—The Secretary of Defense shall implement the strategy required by subsection (a) in a manner consistent with the requirements of the United States Code.

SEC. 1003. MODERNIZATION OF COVERED MATERIALS WITHIN THE DEPARTMENT OF DEFENSE.

(A) MODERNIZATION OF COVERED MATERIALS.—The Secretary of Defense shall modernize covered materials, including—
(1) improving the quality and comprehensiveness of budget justification materials for the Department of Defense; and
(2) improving the timeliness and comprehensiveness of budget justification materials for the Department of Defense.

(B) MODERNIZATION OF COVERED MATERIALS.—The Secretary of Defense shall modernize covered materials, including—
(1) improving the quality and comprehensiveness of budget justification materials for the Department of Defense; and
(2) improving the timeliness and comprehensiveness of budget justification materials for the Department of Defense.

(C) MODERNIZATION OF COVERED MATERIALS.—The Secretary of Defense shall modernize covered materials, including—
(1) improving the quality and comprehensiveness of budget justification materials for the Department of Defense; and
(2) improving the timeliness and comprehensiveness of budget justification materials for the Department of Defense.

(D) MODERNIZATION OF COVERED MATERIALS.—The Secretary of Defense shall modernize covered materials, including—
(1) improving the quality and comprehensiveness of budget justification materials for the Department of Defense; and
(2) improving the timeliness and comprehensiveness of budget justification materials for the Department of Defense.

(E) MODERNIZATION OF COVERED MATERIALS.—The Secretary of Defense shall modernize covered materials, including—
(1) improving the quality and comprehensiveness of budget justification materials for the Department of Defense; and
(2) improving the timeliness and comprehensiveness of budget justification materials for the Department of Defense.
(b) to promote the meaningful participation of women in the defense and security sectors.

(12) The provision of support to increase the capacity of government of Afghanistan, programs and institutions, such as the William J. Perry Center, and international institutions, such as the Inter-American Defense Board, and the Inter-American Defense College, that promote United States defense objectives through bilateral and regional relationships.

(13) Increase assistance for military education initiatives, including International Military and Education Training (IMET) assistance.

(14) The permanent assignment of Navy marines to the United States 4th Fleet, including the use of ships scheduled to be decommissioned.

(15) A detailed assessment of the resources required to carry out such strategy and a plan to be executed in fiscal year 2022.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2130. Ms. McSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection E of title XII, add the following:

SEC. 1052. DEPARTMENT OF DEFENSE PROVISION OF VETERINARY CARE FOR RETIRED MILITARY WORKING DOGS AND ADOPTION OF MILITARY ANIMALS.

(a) In General.—Section 994 of title 10, United States Code, is amended—

(1) in subsection (a);

(A) by striking “establish and maintain a system’’; and

(B) by striking “for the veterinary care of’’ and inserting “veterinary care for’’; and

(C) by striking the second sentence;

(2) in subsection (b), by inserting “that the Secretary of Defense concerned determines is suitable for adoption or is’’ before “adopted’’; and

(3) in subsection (c), by striking “the system authorized by’’;

(b) MULTI-YEAR AGREEMENTS WITH OTHER ENTITIES.—Such section is further amended by adding at the end the following new subsection:

“(d) ACCETPANCE AND USE OF DONATED FUNDS.—(1) The Secretary of Defense may accept donations of funds, gifts, and in-kind contributions for the purpose of providing long-term care for any military working dog adopted under section 2580 of this title. Any amounts so accepted shall be available without further appropriation and without fiscal year limitation.

“(2) The Secretary of Defense may enter into a multi-year agreement with a veterans service organization or appropriate nonprofit entity under which—

“(A) that organization or entity may solicit and accept donations of funds on behalf of the Department of Defense pursuant to paragraph (1); and

“(B) the organization or entity agrees to transfer any funds accepted pursuant to such an agreement to the Department of Defense.

“(3) In this subsection, the term ‘veterans service organization’ means an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 1634 of chapter 36 of title 38, United States Code, by striking “may” and inserting “shall.”

SA 2131. Ms. McSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection E of title XII, add the following:

SEC. 1262. PROHIBITION ON USE OF FUNDS TO PURCHASE GOODS OR SERVICES FROM COMMUNIST CHINESE MILITARY COMPANIES.

(a) IN GENERAL.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended—

(1) by striking paragraph (1) to the same extent that paragraphs (1) and (2) of subsection (a) are amended;

(2) by inserting “(m) MARKING OF ARTICLES FROM THE PEOPLE’S REPUBLIC OF CHINA SOLD BY ONLINE RETAILERS—” before paragraph (1) of subsection (m) of that section; and

(3) by inserting “(n) EXPENDITURES—Subject to appropriations made for fiscal year 2019,” after paragraph (1) of subsection (n) of that section.

(b) Subparagraphs (E), (H), (I), (J), (K), and (L) of subsection (m) of that section are further amended—

(1) in paragraph (E), by striking “(b)” and inserting “(a)”;

(2) in paragraph (K), by striking “(A)” and inserting “(B)”;

(3) in paragraph (L), by striking “(A)” and inserting “(B)”;

(c) The amendment made by this section is effective as of the date of the enactment of this Act.

SA 2133. Ms. McSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection G of title X, add the following:

SEC. 10. WATER SUPPLY INFRASTRUCTURE REHABILITATION AND UTILIZATION.

(a) AGING INFRASTRUCTURE ACCOUNT.—Section 9603 of the Omnibus Public Land Management Act of 2009 (3 U.S.C. 510b) is amended by adding at the end the following:

“(d) AGING INFRASTRUCTURE ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the general fund of the Treasury a special account, to be known as the ‘Aging Infrastructure Account’ (referred to in this subsection as the ‘Account’), to provide funds to, and to provide for the extended repayment of the funds by, a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for the conduct of extraordinary operation and maintenance work at a project facility, which shall consist of—

“(A) any amounts that are specifically appropriated to the Account under section 9603; and

“(B) any amounts deposited in the Account under paragraph (3).

“(2) EXPENDITURES.—Subject to appropriations made for fiscal year 2019, the Secretary may expend amounts in the Account to fund and provide for the extended repayment of the funds for eligible projects identified in a report submitted under paragraph (5)(A).
"(3) REPAYMENT CONTRACT.—
   "(A) IN GENERAL.—The Secretary may not expend amounts under paragraph (2) with respect to an eligible project described in that paragraph without reproducing the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for funds and extended repayment for eligible projects.
   "(B) DEPOSIT OF REPAID FUNDS.—Amounts repaid by a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for funds and extended repayment for eligible projects.
   "(4) APPLICATION FOR FUNDING.—
   "(A) IN GENERAL.—Not less than once per fiscal year, the Secretary shall accept, during an application period established by the Secretary, applications from transferred works operating entities or project beneficiaries for repayment of reimbursable costs for funds and extended repayment for eligible projects.
   "(B) ELIGIBLE PROJECT.—A project eligible for repayment of reimbursable costs under this subsection is a project that—
   "(i) qualifies as an extraordinary operation or project under section 4(c) of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509(c));
   "(ii) is for the major, non-recurring maintenance of a mission-critical asset; and
   "(iii) is not eligible to be carried out or funded under the repayment provisions of section 4(c)(2) of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509(c)).
   "(C) GUIDELINES FOR APPLICATIONS.—Not later than 90 days after the date of enactment of this subsection, the Secretary shall issue guidelines describing the information required to be provided in an application for repayment of extended repayment under this subsection that require, at a minimum—
   "(i) a description of the project for which the funds are requested;
   "(ii) the amount of funds requested; and
   "(iii) the repayment period requested by the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs.
   "(D) REVIEW BY THE SECRETARY.—The Secretary shall review each application submitted under paragraph (A), includes—
   "(i) a description of—
   "(I) the eligible project;
   "(II) the repayment cost and duration of the eligible project; and
   "(iii) any remaining engineering or environmental compliance that is required before the elongation commences;
   "(ii) an analysis of—
   "(I) the repayment period proposed in the application; and
   "(II) if the Secretary recommends a minimum necessary repayment period that is different than the repayment period proposed in the application, the minimum necessary repayment period recommended by the Secretary; and
   "(iii) an analysis of alternative non-Federal funding options; and
   "(E) USE OF FUNDS.—The funds are requested in the Account as of the date of the report.
   "(F) EFFECT OF SUBSECTION.—Nothing in this subsection affects—
   "(A) any funding provided, or contracts entered into, under subsection (a) before the date of enactment of this subsection; or
   "(B) the use of funds otherwise made available to the Secretary to carry out subsection (a)."
   "(b) AUTHORIZATION OF APPOINTMENTS FOR THE RECLAMATION SAFETY OF DAMS ACT OF 1978.—Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended, in the first sentence, by inserting "and, effective October 1, 2019, not to exceed an additional $55,000,000,000 in fiscal years 2020, 2021, and 2022", and, effective October 1, 2019, not to exceed an additional $55,000,000,000 in fiscal years 2020, 2021, and 2022 after "as of the date of this Act", and inserting, in the sentence, by inserting "and, effective October 1, 2019, not to exceed an additional $55,000,000,000 in fiscal years 2020, 2021, and 2022", and, effective October 1, 2019, not to exceed an additional $55,000,000,000 in fiscal years 2020, 2021, and 2022 after "as of the date of this Act", respectively.
   "(c) AVAILABILITY OF FUNDS.—Until September 30, 2024, amounts appropriated to the Secretary under any other provision of law for the payment of reimbursable costs for funds and extended repayment for eligible projects are available to the Secretary for expenditure in accordance with this subsection without further appropriation.
   "(d) REPORT.—Not later than March 15, 2025, the Secretary, in consultation with the Secretary of the Senate and the Secretary of Defense, shall submit to the appropriate committees of Congress a report on the activities of any staff appointed under subsection (b), which shall include—
   "(1) an assessment of the commercial results of those activities, including the impact on United States companies and on the economies of the applicable Pacific Island countries;
   "(2) an assessment of the impact of those activities with respect to the diplomatic and security interests of the United States; and
   "(3) an assessment of the future of United States commercial engagement in Pacific Island countries; and
   "(e) RULE OF CONSTRUCTION.—For the purposes of this section, American Samoa shall be considered to be a Pacific Island country.

SA 2135. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. NUNN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. INTERNET OF THINGS.

(a) FINDINGS; SENSE OF CONGRESS.—
   (1) FINDINGS.—Congress finds that—
   (A) the Internet of Things refers to the growing number of connected and interconnected devices;
   (B) estimates indicate that more than 125,000,000,000 devices will be connected to the Internet by 2030;
   (C) the Internet of Things has the potential to generate trillions of dollars in new economic activity around the world in the transportation, energy, agriculture, manufacturing, and health care sectors and in other sectors that are critical to the growth of the gross domestic product of the United States;
   (D) businesses across the United States can develop new services and products, improve efficiency of operations, cut costs, improve worker and public safety, and pass savings on to consumers by utilizing the Internet of Things and related innovations;
   (E) the Internet of Things will—
   (i) be vital in furthering innovation and the development of emerging technologies; and
   (ii) play a key role in developing artificial intelligence and advanced computing capabilities;
   (F) the United States leads the world in the development of technologies that support the Internet, the United States technology sector is well-positioned to lead in the development of technologies for the Internet of Things, and the appropriate prioritization of a national strategy with respect to the Internet of Things would strengthen that position;
   (G) the Federal Government can implement this technology to better deliver services to the public; and
   (H) the Senate unanimously passed Senate Resolution 110, 114th Congress, agreed to March 24, 2015, calling for a national strategy for the development of the Internet of Things.
   (2) THE SENSE OF CONGRESS.—It is the sense of Congress that policies governing the Internet of Things should—
concerning the development and deployment of the Internet of Things to benefit all stakeholders, including businesses, government, and consumers.

(b) Definition.—In this section:

(1) COMMISSION.—The term ‘‘Commission’’ means the Federal Communications Commission.

(2) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Commerce.

(3) STEERING COMMITTEE.—The term ‘‘steering committee’’ means the steering committee established under subsection (c)(5)(A).

(4) WORKING GROUP.—The term ‘‘working group’’ means the working group convened under subsection (d).

(c) FEDERAL WORKING GROUP.—

(1) IN GENERAL.—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in paragraph (2).

(2) DUTIES.—The working group shall—

(A) identify any Federal regulations, statutes, grant practices, budgetary or jurisdictional policies that are inhibiting, or could inhibit, the development or deployment of the Internet of Things;

(B) develop policies or programs that encourage and improve coordination among Federal agencies that have responsibilities that are relevant to the objectives of this section;

(C) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations;

(D) examine—

(i) how Federal agencies can benefit from utilizing the Internet of Things;

(ii) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(iii) the preparedness and ability of Federal agencies to adopt Internet of Things technology as of the date on which the working group performs the examination and in the future; and

(iv) any additional security measures that Federal agencies may need to take to—

(I) ensure the security of critical infrastructure; and

(II) enhance the resiliency of Federal systems against cyber threats to the Internet of Things; and

(E) in carrying out the examinations required under subclauses (I) and (II) of subparagraph (A), ensure to the maximum extent possible the coordination of the current and future activities of the Federal Government relating to security with respect to the Internet of Things.

(3) AGENCY REPRESENTATIVES.—In convening the working group under paragraph (1), the Secretary shall have discretion to appoint representatives from Federal agencies, having expertise, as determined by the Secretary.

(4) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders with expertise relating to the Internet of Things, including—

(A) the steering committee;

(B) information and communications technology manufacturers, suppliers, service providers, and users;

(C) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(D) small, medium, and large businesses;

(E) think tanks and academia;

(F) nonprofit organizations and consumer groups;

(G) security experts;

(H) rural stakeholders; and

(I) other stakeholders with relevant expertise, as determined by the Secretary.

(5) STEERING COMMITTEE.—

(A) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(B) DUTIES.—The steering committee shall advise the working group with respect to—

(i) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other constraints that are inhibiting, or could inhibit, the development of the Internet of Things;

(ii) situations in which the use of the Internet of Things is likely to deliver significant and scalable economic and societal benefits to the United States, including benefits from or to—

(I) smart traffic and transit technologies;

(II) augmented logistics and supply chains;

(III) sustainable infrastructure;

(IV) precision agriculture;

(V) environmental monitoring;

(VI) public safety; and

(VII) health care;

(iii) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may exist to providing any spectrum needed in the future;

(iv) policies, programs, or multi-stakeholder activities that—

(I) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(II) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(III) may protect users of the Internet of Things; and

(IV) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(v) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(vi) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(C) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing the range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(I) information and communications technology manufacturers, suppliers, service providers, and vendors;

(ii) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(iii) small, medium, and large businesses;

(iv) think tanks and academia;

(v) nonprofit organizations and consumer groups;

(vi) security experts;

(vii) rural stakeholders; and

(viii) other stakeholders with relevant expertise, as determined by the Secretary.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes findings or recommendations of the steering committee.

(E) INDEPENDENT ADVICE.—

(1) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under subparagraph (B).

(2) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study, and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(3) REPORT.—The steering committee shall ensure that the report submitted under subparagraph (D) is the result of the independent judgment of the steering committee.

(F) NO COMPENSATION FOR MEMBERS.—A member of the steering committee shall serve without compensation.

(G) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under paragraph (6).

(6) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(i) the findings and recommendations of the working group with respect to the duties of the working group under paragraph (2);

(ii) the report submitted by the steering committee under paragraph (5)(D), as the report was received by the working group;

(iii) recommendations for action or reasons for inaction, as applicable, with respect to each recommendation made by the steering committee in the report submitted under paragraph (5)(D); and

(iv) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(B) COPY OF REPORT.—The working group shall submit a copy of the report described in subparagraph (A) to—

(i) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Energy and Commerce of the House of Representatives; and

(iii) any other committee of Congress, upon request to the working group.

(d) ASSESSING SPECTRUM NEEDS.—

(1) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(2) REQUIREMENTS.—In issuing the notice of inquiry under paragraph (1), the Commission shall seek comments that consider and evaluate—

(A) whether adequate spectrum is available or planned for allocation, for commercial wireless services that could support the growing Internet of Things;
SA 2136. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. REVIEW OF NATIONAL SECURITY IMPLICATIONS OF WIND FARM PROPOSITIONS AND INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of the Air Force, in conjunction with the Secretary of the Treasury, shall conduct a thorough review lasting not less than 180 days of the national security implications of wind farm proposals within 100 miles of an installation of the Department of Defense if an entity purchasing or constructing the wind farm has financial holdings in, or is a subsidiary of, a company that is influenced or controlled by—

(1) the Communist Party of the People’s Republic of China;

(2) the Government of the Russian Federation;

(3) the Government of the Islamic Republic of Iran; or

(4) the Government of the People’s Republic of North Korea.

(b) REPORT.—

(1) IN GENERAL.—Not later than 15 days after the completion of the review under subsection (a), the Secretary of the Air Force shall submit to the appropriate committees of Congress a report that includes the results of the review.

(2) DEFINITIONS.—In this section:

(A) the term “appropriate committees of Congress” means—

(i) the congressional defense committees;

(ii) the Secretary of the Air Force; and

(iii) the Secretary of the Treasury;

(B) the term “cost-effective, commercial capability available that can meet any or all of the geospatial-intelligence requirements of the Department and the intelligence community” means—

(i) the cost-benefit analysis by year performed in accordance with circular A-94 prepared by the Office of Management and Budget; and

(ii) the quantitative performance score by year, including calculated mission capability and aircraft availability rates; and

(C) the term “minimum” means—

(i) the minimum number of aircraft required by the Department and the intelligence community; and

(ii) the minimum number of aircraft required by the Department and the intelligence community.

SA 2137. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. REVIEW OF NATIONAL SECURITY IMPLICATIONS OF WIND FARM PROPOSITIONS AND INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of the Air Force, in conjunction with the Secretary of the Treasury, shall conduct a thorough review lasting not less than 180 days of the national security implications of wind farm proposals within 100 miles of an installation of the Department of Defense if an entity purchasing or constructing the wind farm has financial holdings in, or is a subsidiary of, a company that is influenced or controlled by—

(1) the Communist Party of the People’s Republic of China;

(2) the Government of the Russian Federation;

(3) the Government of the Islamic Republic of Iran; or

(4) the Government of the People’s Republic of North Korea.

(b) REPORT.—

(1) IN GENERAL.—Not later than 15 days after the completion of the review under subsection (a), the Secretary of the Air Force shall submit to the appropriate committees of Congress a report that includes the results of the review.

(2) DEFINITIONS.—In this section:

(A) the term “appropriate committees of Congress” means—

(i) the congressional defense committees;

(ii) the Secretary of the Treasury; and

(iii) the Permanent Select Committee on Intelligence of the Senate; and

(B) the term “minimum” means—

(i) the minimum number of bomber aircraft, including penetrators, required by the National Guard for 2021.

SA 2139. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Amend section 144 to read as follows:

SEC. 144. MINIMUM AIR FORCE BOMBER AIRCRAFT LEVEL.

(a) MINIMUM.—The Secretary of Defense shall submit to the congressional defense committees a report setting forth the minimum number of bomber aircraft, including penetrators, that is required to meet the Department of Defense’s force structure needs for 2021.
aircraft, to enable the Air Force to carry out its long-range penetrating strike capability.

(b) BRIEFING ON B–1 FLEET SUSTAINMENT.—
(1) INITIAL BRIEFING.—Not later than 30 days after the enactment of this Act, the Secretary of the Air Force shall brief the congressional defense committees on the current state of readiness and continued sustainment of the B–1 fleet and any gaps or necessary steps to ensure that the mission capable rate of the B–1 fleet is not less than 80 percent of the structural life of such fleet is sufficient to 2040.

(2) QUARTERLY BRIEFING.—If the mission capable rate and structural life levels specified in paragraph (1) have not been met, not later than 60 days after the briefing under paragraph (1), and not less frequently than quarterly thereafter until such levels have been met, the Secretary of the Air Force shall brief the congressional defense committees on, with respect to the B–1 fleet, the following:

(A) A description of any structural issues or technical deficiencies.

(B) A plan for continued structural deficiency data analysis and training.

(C) A description of projected repair timelines to address issues identified under subparagraph (A).

(D) A description of future mitigation strategies, including an analysis of the support requirement for each aircraft.

(E) An aircrew maintainer training plan, including a plan to ensure that the training pipeline remains steady for any degradation period.

(F) An identification of any deficiencies in equipment or funds required to meet the requirements under subsection (a).

(G) A recovery timeline to resolve issues identified under subparagraph (A).

SA 2141. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title C of title III, add the following:

SEC. 3. PLAN TO ACHIEVE FULL OPERATIONAL CAPABILITY FOR THE B–1 FLEET TO DELIVER HYPERSONIC WEAPONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a plan to achieve full operational capability for the B–1 fleet to deliver hypersonic weapons by fiscal year 2025.

SA 2142. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, insert the following:

SEC. 3. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(B) in subparagraph (H), by adding “and” at the end; and

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

“(G) A recovery timeline to meet the requirements under subsection (a).”

“(H) To ensure the continued strength and length of service of the United States with respect to the research and development of key technologies for future wireless telecommunications standards and infrastructure.”

SEC. 1293. LIST OF FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY WITH RESPECT TO WIRELESS COMMUNICATIONS TECHNOLOGIES.

Section 1752(a) of the Export Control Reform Act of 2018 (50 U.S.C. 4812(a)) is amended by adding at the end the following:

“(1) involves a United States person, and

“(2) is a transaction with respect to which the United States person is required to submit a report.”

“SEC. 1759A. LIST OF FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY WITH RESPECT TO WIRELESS COMMUNICATIONS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary shall establish and maintain a list of each foreign entity that the Secretary determines—
"(1)(A) uses, without a license, a claimed invention protected by a patent that is essential for the implementation of a wireless communications standard and is held by a United States person; or

"(B) that has as its ultimate parent a covered foreign person; or

"(2) is a successor to an entity described in paragraph (1); or

"(b) that is a successor to an entity described in subparagraph (A).

"(2) DEMONSTRATION DESCRIBED.—

"(A) In General.—A covered United States person has made a demonstration described in this paragraph if the person has reasonably demonstrated to the Secretary that—

"(i) the owner owns at least one unexpired patent that is essential for the implementation of a wireless communications standard; and

"(ii) a foreign entity that is a covered foreign person has, for a period of more than 180 days, made available wireless communications devices in or into the United States, directly or indirectly, that—

"(I) are claimed, labeled, marketed, or advertised as complying with that standard; and

"(II) use a claimed invention protected by a patent described in clause (i) without a license.

"(B) Demonstration of Essentiality.—A covered United States person may demonstrate under subparagraph (A)(i) that the person owns at least one unexpired patent that is essential for the implementation of a wireless communications standard by—

"(i) filed by a United States person; and

"(ii) that use of patents poses a threat to—

"(I) established and maintain a watch list of each foreign entity listed under paragraph (2) with respect to the entity.

"(C) FORFEITURE OF BOND.—

"(1) In General.—If a foreign entity on the watch list required by section 1759A(b)(1) of the Export Control Reform Act of 2018 is moved to the list required by subsection (a) of that section and becomes subject to controls under subsection (a) of this section, a bond paid under subsection (b) shall be forfeited to the covered United States person that made the demonstration described in section 1759A(b)(2) of the Export Control Reform Act of 2018 with respect to the entity.

"(2) TERMS AND CONDITIONS.—The Secretary of Commerce shall prescribe the procedures and any terms or conditions under which bonds will be forfeited under paragraph (1).

"(C) Definitions.—In this section, the terms 'affiliate' and 'covered United States person' have the meanings given those terms in section 1759A(d) of the Export Control Reform Act of 2018.''

SEC. 1295. EXCLUSION FROM LICENSE REQUIREMENTS FOR FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY.

Chapter 4 of title II of the Trade Expansion Act of 1962 (19 U.S.C. 1862 et seq.) is amended by inserting after section 233 the following:

"SEC. 234. IMPORT SANCTIONS WITH RESPECT TO CERTAIN FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY.

"(a) In General.—Any foreign entity on the list required by section 1759A(a)(1) of the Export Control Reform Act of 2018 may be subject to any of the provisions of sections 201 and 202 or 232 requiring import controls on the importing or re-exporting of goods or technology into the United States as the President may prescribe.

"(b) ENTRY UNDER BOND.—

"(1) If a person described in paragraph (2) may enter the United States under bond described in subparagraph (A) of section 781(b) of the Tariff Act of 1930, the Secretary of Commerce may authorize, after consultation with the Secretary of the Treasury, to post a bond in an amount determined by the Secretary to provide adequate security to protect against injury to the United States person that made the demonstration described in section 1759A(b)(2) of the Export Control Reform Act of 2018 with respect to the entity that sold the product.

"(2) PRODUCT'S DESCRIBED.—A product described in—

"(A) produced or sold by—

"(i) a foreign entity on the list required by section 1759A(b)(1) of the Export Control Reform Act of 2018; and

"(ii) a successor of such an entity; or

"(iii) an affiliate of an entity described in clause (i) or (ii); and

"(B) that is claimed, labeled, marketed, or advertised as complying with a wireless communications standard that was the basis for the inclusion of the foreign entity on the watch list.

"(c) PRODUCT'S DESCRIBED.—

"(1) In General.—If a foreign entity on the list required by subsection (b) of section 1759A(a)(1) of the Export Control Reform Act of 2018 is moved to the list required by subsection (a) of that section and becomes subject to controls under subsection (a) of this section, a bond paid under subsection (b) shall be forfeited to the covered United States person that made the demonstration described in section 1759A(b)(2) of the Export Control Reform Act of 2018 with respect to the entity.

"(2) Terms and Conditions.—The Secretary of Commerce shall prescribe the procedures and any terms or conditions under which bonds will be forfeited under paragraph (1).

"(d) Definitions.—In this section, the terms 'affiliate' and 'covered United States person' have the meanings given those terms in section 1759A(d) of the Export Control Reform Act of 2018.''

SA 2144. Mrs. BLACKBURN (for herself and Mr. HEINRICI) submitted an amendment intended to be proposed by him as an amendment to the bill S. 4049, the Appropriations Act for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of the Army, to authorize funding for military activities of the Department of the Army, for military construction, and for defense activities of the Department of the Army for fiscal year 2021 and for related purposes; and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title VI, insert the following:
SEC. 320. LIMITED EXEMPTION FOR DISPOSAL OF CERTAIN MATERIALS CONTAINING PER- AND POLYFLUOROALKYL SUBSTANCES OTHER THAN UNDILUTED AQUEOUS FILM FORMING FOAM AT ALASKA THERMAL TREATMENT FACILITIES.

Section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “The Secretary of Defense” and inserting “Except as provided in subsection (c), the Secretary of Defense”;

(2) by adding at the end the following new subsection:

"(c) LIMITED EXEMPTION FOR DISPOSAL OF CERTAIN MATERIALS CONTAINING PFAS AT ALASKA THERMAL TREATMENT FACILITIES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), materials containing PFAS or materials derived from the treatment of materials containing PFAS may be stored and thermally treated in a thermal treatment unit (to include secondary combustion) without regard to the storage requirements set forth in subsection (a)(3) or the permitting requirements set forth in subsection (a)(4) at facilities in Alaska that are in the possession or under the control of the Environmental Protection Agency that the facility—

"(A) meets the requirements of subsections (a)(1) and (a)(2);

"(B) meets Category D treatment facility requirements under 18 AAC 75.365 and 18 AAC 78.273 of the Alaska Administrative Code; and

"(C) demonstrates treatment effectiveness using a thermal treatment method that achieves the destruction of PFAS compounds in compliance with permits issued under the regulations established by the State of Alaska Department of Environmental Conservation.

"(2) EXCEPTION.—Paragraph (1) does not apply to undiluted aqueous film forming foam or to materials that meet the definition of hazardous waste pursuant to part 261 of title 40, Code of Federal Regulations, or successor regulations.

"(d) DISTRIBUTION OF ESTIMATE.—As soon as practicable after submitting an estimate as described in paragraph (1) of subsection (a) and making the certification described in paragraph (2) of such subsection, the Secretary shall make such estimate available to any licensee operating under an order and authorization described in such subsection.

"(e) AUTHORITY OF SECRETARY OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary of Defense may work directly with any licensee (or any future assignee, successor, or purchaser) affected by the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–40) to seek recovery of costs incurred by the Department of Defense as a result of the ef- fects of such order and authorization, as determined by the estimate as described in paragraph (1) of subsection (a) and certified in paragraph (2) of such subsection.

"(f) REMUNERATION.—

"(1) IN GENERAL.—The Secretary shall establish and facilitate a process for any licensee
(or any future assignee, successor, or purchaser) subject to the authorization and order described in subsection (a) to provide reimbursement to the Department of Defense for the covered costs and eligible reimbursable costs submitted and certified to the congressional defense committees under such subsection.

(2) USE OF FUNDS.—The Secretary shall use any funds received under this subsection for covered costs described in subsection (b) and the range of eligible reimbursable costs identified under subsection (a)(1).

(3) REPORT.—Not later than 90 days after the date on which the Secretary establishes the process required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on such process.

(g) REQUIREMENT FOR DEPARTMENT OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary shall use all means available to recover costs, including negotiation, the filing of an administrative claim, and litigation for recovery of costs incurred by any licensee (or any future assignee, successor, or purchaser) operating under the order and authorization described in subsection (a) if the costs identified by the Secretary under this subsection are generally asserted by the licensee (or any future assignee, successor, or purchaser).

SA 2149. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1085. REPEAL OF EXEMPTION TO CYBERSECURITY CERTIFICATION FOR RAIL ROADING OPERATORS PRODUCED BY PUBLIC TRANSPORTATION AGENCIES.

Section 5323(u)(5) of title 49, United States Code, is amended—

(1) by striking ‘‘(A) PARTIES TO EXECUTED CONTRACTS.’’; and

(2) by striking subparagraphs (B) and (C).

SA 2153. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR PRODUCTION OF FILMS AND PROHIBITION ON USE OF FEDERAL FUNDS SUBJECT TO CONDITIONS ON CONTENT OR ALTERED FOR SCREENING IN THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

(a) LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS.—The Secretary of Defense may only provide technical support or access to an asset controlled by the Department of Defense for, or enter into a contract relating to, the production or funding of a film by a United States company if the United States company, as a condition of receiving the support or access—

(1) provides a list of all films produced or funded by the United States company the content of which has been submitted, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, to an official of the Government of the People’s Republic of China or the Chinese Communist Party for evaluation with respect to screening the film in the People’s Republic of China, including, for each film—

(A) the title of the film; and

(B) the date on which the submittal occurred; and

(2) enters into a written agreement with the Secretary not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People’s Republic of China or the Chinese Communist Party.

(b) PROHIBITION WITH RESPECT TO FILMS SUBJECT TO CONDITIONS ON CONTENT OR ALTERED FOR SCREENING IN THE PEOPLE’S REPUBLIC OF CHINA.—Notwithstanding subsection (a), the Secretary may not provide technical support or access to any asset controlled by the Department of Defense for, or enter into a contract relating to, the production or funding of a film by a United States company if—

(1) the film is co-produced by an entity located in the People’s Republic of China that is subject to conditions on content imposed by an official of the Government of the People’s Republic of China or the Chinese Communist Party; or

(2) with respect to the most recent report submitted under paragraph (1), the United States company is listed in the report under subparagraph (C) or (D) of paragraph (2) of that subsection.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,
and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report on films disclosed under subsection (a) that are associated with a United States company that has received technical support or access to an asset controlled by the Department for, or has entered into a contract with the Department relating to, the production or funding of a film.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A description of each film listed pursuant to the requirement under subsection (a)(1) the content of which was submitted, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, by a United States company to an official of the Government of the People’s Republic of China or the Chinese Communist Party for evaluation with respect to screening the film in the People’s Republic of China, including—

(i) the United States company that submitted the contents of the film;

(ii) the title of the film; and

(iii) the date on which the submittal occurred.

(B) A description of each film with respect to which a United States company entered into a written agreement with the Secretary pursuant to the requirement under subsection (a)(2) not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People’s Republic of China or the Chinese Communist Party, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, including—

(i) the United States company that entered into the agreement; and

(ii) the title of the film.

(C) A description of each film described under subparagraph (A) and the corresponding United States company described in clause (i) of that subparagraph—

(i) that was submitted to an official of the Government of the People’s Republic of China or the Chinese Communist Party during the preceding 3-year period; and

(ii) for which the Secretary assesses that the content was altered in response to, or in anticipation of, a request by an official of the Government of the People’s Republic of China or the Chinese Communist Party.

(D) The title of any film that is described in both subparagraph (A) and subparagraph (B), and the corresponding one or more United States companies described in clause (i) of each such subparagraph—

(i) that was submitted to an official of the Government of the People’s Republic of China or the Chinese Communist Party during the preceding 10-year period; and

(ii) for which the Secretary assesses that the content was altered in response to, or in anticipation of, a request by an official of the Government of the People’s Republic of China or the Chinese Communist Party.

(E) LIMITATION ON USE OF FUNDS.—The President may only authorize the provision of technical support or access to an asset controlled by the Federal Government for, or authorize the head of a Federal agency to enter into a contract relating to, the production or funding of a film by a United States company if the United States company, as a condition of receiving the support or access, pursuant to the requirement under subsection (a)(2), not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People’s Republic of China or the Chinese Communist Party, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, including—

(i) the United States company that entered into the agreement; and

(ii) the title of the film.

(F) LIMITATION ON USE OF FUNDS FOR SCREENING IN THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMunist PARTY.—

(a) LIMITATION ON USE OF FUNDS.—The President may only authorize the provision of technical support or access to an asset controlled by the Federal Government for, or authorize the head of a Federal agency to enter into a contract relating to, the production or funding of a film by a United States company if—

(1) the United States company that submitted the contents of the film;

(2) the title of the film; and

(3) the date on which the submittal occurred.

(b) ELEMENTS.—Each description of each film with respect to which a United States company entered into a written agreement with the President or the Federal agency providing the support or access, as applicable, pursuant to the requirement under subsection (a)(2) not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People’s Republic of China or the Chinese Communist Party during the preceding 3-year period; and

(c) LIMITATION ON USE OF FUNDS FOR SCREENING IN THE PEOPLE’S REPUBLIC OF CHINA OR THE CHINESE COMMunist PARTY.—

(i) the United States company that entered into the agreement; and

(ii) the title of the film.

(ii) the title of the film.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

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

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

(2) CONTENT.—The term “content” means any description of a film, including the script.

(3) UNITED STATES COMPANY.—The term “United States company” means a private entity incorporated in the United States.
of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. SHORT TITLE.
This subtitle may be cited as the “Industries of the Future Act of 2020”.

SEC. 2. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.
(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Federal Government that enable continued United States economic competitiveness of the United States, including identification of the following:

(1) the diversification of the supply chain;
(2) procurement costs; and
(3) efficient procurement processes.

SA 2156. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military construction, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

Subtitle—Industries of the Future

SEC. 1. SHORT TITLE.
This subtitle may be cited as the “Industries of the Future Act of 2020”.

SEC. 2. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.
(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.
(a) ESTABLISHMENT.
(1) IN GENERAL.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director regarding the industries of the future.

(b) DESIGNATION.—The council established or designated under paragraph (1) shall be known as the “Industries of the Future Coordination Council” (in this section the “Council”).

(c) MEMBERSHIP.
(1) COMPOSITION.—The Council shall be composed of members from the Federal Government as follows:

(A) One member appointed by the Director.

(B) Chairman of the Committee on Artificial Intelligence of the National Science and Technology Council.

(C) A chairperson of the Subcommittee on Advanced Manufacturing of the National Science and Technology Council.

(D) A chairperson of the Subcommittee on Quantum Information Science of the National Science and Technology Council.

(E) Such other members as the President considers appropriate.

(2) CHAIRPERSON.—The member appointed to the Council under paragraph (1)(A) shall serve as the chairperson of the Council.

(d) DUTIES.—The duties of the Council are as follows:

(1) To provide the Director with advice on ways in which in the Federal Government can ensure the United States continues to lead the world in developing emerging technologies that improve the quality of life of the people of the United States, increase economic competitiveness of the United States, and strengthen the national security of the United States, including identification of the following:

(A) Investments required in fundamental research and development, infrastructure, and workforce development of the United States workers who will support the industries of the future.

(B) Actions necessary to create and further develop the workforce that will support the industries of the future.

(C) Actions required to leverage the strength of the research and development ecosystem of the United States, including academia, industry, and nonprofit organizations.

(D) Ways that the Federal Government can consider leveraging existing partnerships and creating new partnerships and other multisector collaborations to advance the industries of the future.

(2) To provide the Director with advice on matters relevant to the report required by section 2.

(b) COORDINATION.—The Council shall coordinate with and utilize relevant existing National Science and Technology Council committees to the maximum extent feasible in order to minimize duplication of effort.

(c) SUNSET.—The Council shall terminate on the date that is 6 years after the date of the enactment of this Act.

SA 2157. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military construction, for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. AUTOMATIC ANNUAL INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDENTURY COMPENSATION.
(a) INDEXING TO SOCIAL SECURITY INCREASES.—Section 3312 of title 38, United States Code, is amended by redesignating subsection (c) as subsection (d);

(b) By inserting after subsection (b) the following new subsection:

"(c)(1) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, or increased in paragraph (1) of such amounts were in effect immediately before the date of such increase in benefit amounts payable under title II of the Social Security Act, by the same percentage as the percentage by which such benefit amounts are increased.

"(2) The dollar amounts to be increased pursuant to paragraph (1) are the following:

(A) DISABILITY COMPENSATION.—Each of the dollar amounts in effect under section 1114 of this title.

(B) ADDITIONAL DlC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amounts in effect under section 1311(b) of this title.

(C) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1182 of this title.

(D) NEW DlC RATES.—Each of the dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of this title.

(E) OLD DlC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of this title.

(F) ADDITIONAL DlC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amounts in effect under section 1311(b) of this title.

(G) ADDITIONAL DlC FOR DISABILITY.—Each of the dollar amounts in effect under subsections (c) and (d) of section 1311 of this title.

(H) DlC FOR DEPENDENT CHILDREN.—Each of the dollar amounts in effect under sections 1313(a) and 1314 of this title.

(3) by adding at the end of subsection (d), as redesignated by paragraph (1), the following new paragraph:

"(d)(1) Whenever there is an increase under subsection (c)(1) in amounts in effect for the payment of disability compensation and dependency and indemnity compensation, the Secretary shall publish such amounts, as increased pursuant to such subsection, in the Federal Register at the same time as the material required by section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) is published by reason of a determination under section 215(i) of such Act (42 U.S.C. 415(i)(1))."

(b) EFFECTIVE DATE.—Subsection (c) of section 3312 of title 38, United States Code, as added by subsection (a) of this section, shall take effect on the first day of the first calendar year that begins after the date of the enactment of this Act.

SA 2159. Mr. THUNE submitted an amendment intended to be proposed by
SEC. 1052. TRANSFER OF EXCESS DEPARTMENT OF DEFENSE, FOR MILITARY CONSTRUCTION, AND FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY, AND FOR OTHER PURPOSES; FUNDING FOR DOD.—

(a) Offer of First Refusal Outside DOD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment specified in subsection (c) is also excess to the requirements of the Secretary of Homeland Security and the Secretary of Defense, the Secretary of Defense shall offer to the Secretary of Homeland Security to transfer such aircraft or equipment to the Secretary of Homeland Security to use by the U.S. Forest Service for wildland fire management and related purposes.

(b) Offer of Second Refusal Outside DOD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment offered to the Secretary of Homeland Security pursuant to subsection (a) shall not be accepted by the Secretary of Homeland Security in accordance with that subsection, the Secretary of Defense shall offer to the Secretary of Agriculture to transfer such aircraft or equipment to the Secretary of Agriculture for use by the U.S. Forest Service for wildland fire management purposes.

(2) TIMING OF OFFER.—Any offer under this subsection for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(c) AIRCRAFT AND EQUIPMENT.—The aircraft and equipment specified in this subsection is the following:

(1) Retired MQ–1 Predator, MQ–9 Reaper, RQ–4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the Air National Guard.

(2) MQ–1 Predator, MQ–9 Reaper, RQ–4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(3) Ground support equipment of the military departments for MQ–1 Predator MQ–9 Reaper, RQ–4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(4) TRANSFER.—If the Secretary of Homeland Security accepts an offer under subsection (a), or the Secretary of Agriculture accepts an offer under subsection (b), the Secretary of the military department of having jurisdiction the aircraft or equipment concerned shall transfer such aircraft or equipment to the Secretary of Homeland Security or the Secretary of Agriculture, as applicable.

(e) DEMILITARIZATION.—Any aircraft or equipment transferred under this section shall be demilitarized before transfer. The cost of demilitarization shall be borne by the Department of Defense.

(f) USE OF TRANSPENDANT AIRCRAFT AND EQUIPMENT.—

(1) DEPARTMENT OF HOMELAND SECURITY.—Any aircraft or equipment transferred to the Secretary of Homeland Security pursuant to paragraph (1) shall be used by the Secretary of the Treasury for U.S. Customs and Border Patrol for border security, enforcement of the immigration laws, and related purposes.

(2) DEPARTMENT OF AGRICULTURE.—Any aircraft or equipment transferred to the Secretary of Agriculture pursuant to this section shall be used by the Chief of the U.S. Forest Service for wildland fire management and related purposes.

SA 2160. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. AUTHORIZATION FOR MAINTENANCE FACILITIES AND TRASH HANGERS AT NORTHERN TIER BASES OF THE AIR NATIONAL GUARD.

(a) In General.—In addition to any other authorization for aircraft maintenance space, including for corrosion control and fuel system maintenance, the Secretary of the Air Force may construct covered maneuver space for the maintenance of aircraft at Northern Tier bases for the Air National Guard to ensure that each such base has covered space for the maintenance of aircraft at a size of not less than 50,000 square feet.

(b) REQUIREMENTS.—Construction conducted under subsection (a) shall—

(1) prioritize efficiencies and cost savings with respect to conditions-influenced maintenance;

(2) prioritize efficiencies and cost savings with respect to mission readiness related to adverse weather; and

(3) be subject to the technical and operational standards for aircraft at the base at which the construction is conducted.

(c) FUNDING.—Construction conducted under subsection (a) shall be subject to the availability of funds for such purpose.

SA 2161. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 894. STUDY ON CONTRIBUTION OF EXISTING FEDERAL SPACE-RELATED ASSETS TO SPACE FORCE MISSIONS.

(a) In General.—The Secretary of the Air Force and the Chief of Space Operations, in consultation with the heads of other applicable departments and agencies of the Federal Government, shall conduct a study on the feasibility and advisability of the contribution of existing space-related assets of other departments and agencies of the Federal Government to the Space Force missions.

(b) ELEMENTS.—The study conducted under subsection (a) shall report to the Secretary the findings of the study and shall include—

(1) the ability of the Federal Government to contribute space assets to the Space Force; and

(2) the costs and benefits of contributing space assets to the Space Force.

SEC. 892. COST-SHARING AGREEMENT FOR STATE AND LOCAL GOVERNMENT COSTS FOR RIFLE TRAINING RANGE FOR AIR FORCE SECURITY FORCES.

(a) AUTHORIZATION.—The Secretary may enter into a cost-sharing agreement with a State for the purposes of establishing a rifle training range for the Air Force Security Forces.

(b) REQUEST FOR PROPOSAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall issue to all States a request for proposal for a cost-sharing agreement under subsection (a).

(2) ELEMENTS OF PROPOSALS.—In reviewing proposals submitted under paragraph (1), the Secretary shall consider—

(A) training requirements of current and anticipated Air Force Security Forces;

(B) savings or cost avoidance concerning travel, accommodations, and other costs related to current training activities of the Air Force Security Forces;

(C) the benefits of the proposal to other requirements of the Department of Defense or another Federal agency;

(D) the benefits of the proposal to each State; and

(E) the cost-sharing arrangement proposed by the State.

(c) AUTHORIZATION OF FUNDS.—

(1) AUTHORIZATION OF LAND ACQUISITION.—There is authorized to be appropriated to the Secretary $10,000,000 to be used by the Secretary for the purposes of land acquisition to carry out this section.

(2) AUGMENTATION OF RIFLE TRAINING RANGE.—There is authorized to be appropriated to the Secretary such sums as may be necessary to augment the rifle training range authorized under subsection (a) as necessary to support training requirements of the Air Force Security Forces.

(3) SOLICITATION OF ADDITIONAL FUNDS.—The Secretary may solicit additional funds from another military department or Federal agency to defray acquisition and operational costs under this section.

(d) SECRETARY DEFINED.—In this section, the term ‘Secretary’ means the Secretary of the Air Force.
(2) The suitability of each Federal agency specified in paragraph (1) to host the following:
(A) Regular Space Force units, including detection
detachments;
(B) Technological support for Space Force mission requirements, including data storage and communications.
(C) In other mission or support considered appropriate by the Secretary and the Chief of Space Operations,

(c) SCOPE OF REVIEW.—In reviewing the facility of a Federal agency in connection with the study under subsection (a), the Secretary and the Chief of Space Operations shall take into account the following at or in connection with it:
(1) Available surplus real estate.
(2) Data storage capacity and data security.
(3) Communications connectivity.
(4) Available civilian workforce.
(5) Costs in the vicinity of such installation.
(6) Locality pay in the vicinity of such installation.

(c) SCOPE OF REVIEW.—In reviewing the facility of a Federal agency in connection with the study under subsection (a), the Secretary and the Chief of Space Operations shall take into account the following at or in connection with it:
(1) Available surplus real estate.
(2) Data storage capacity and data security.
(3) Communications connectivity.
(4) Available civilian workforce.
(5) Costs in the vicinity of such installation.
(6) Locality pay in the vicinity of such installation.

(d) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary and the Chief of Space Operations shall jointly submit to Congress a report setting forth the results of the study conducted under subsection (a).

SA 2163. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 403. EXCLUSION FROM ACTIVE-DUTY PERSONNEL END STRENGTH LIMITATION OF CERTAIN MILITARY PERSONNEL ASSIGNED FOR DUTY IN CONNECTION WITH THE FOREIGN MILITARY SALES PROGRAM.

(a) EXCLUSION.—Except as provided in subsection (c), members of the Armed Forces on active duty who are assigned to an entity specified in subsection (b) for duty in connection with the Foreign Military Sales (FMS) program shall not count toward any end strength limitation for active-duty personnel otherwise applicable to members of the Armed Forces on active duty.

(b) SPECIFIED ENTITIES.—The entities specified in this subsection are the following:
(1) Military departments.
(2) The Defense Security Cooperation Agency.
(3) The combatant commands.

(c) INAPPLICABILITY TO GENERAL AND FLAG OFFICERS.—Subsection (a) shall not apply with respect to any general or flag officer assigned as described in that subsection.

SA 2164. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. PROCUREMENT OF S-400 AIR DEFENSE MISSILE SYSTEM FROM REPUBLIC OF TURKEY.

(a) AUTHORITY.—Subject to subsection (b), such sums as may be necessary are appropriated for the Army for the procurement of an S-400 missile defense system.

(b) CERTIFICATION REQUIREMENT.—The authority to purchase an S-400 missile defense system under subsection (a) is subject to a certification by the Secretary of Defense with the Secretary of State, and the Secretary of Energy, that the proceeds of such purchase will not be utilized to purchase or otherwise acquire military apparatus deemed by the United States to be incompatible with the North Atlantic Treaty Organization.

SA 2165. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 403. EXCLUSION FROM ACTIVE-DUTY PERSONNEL END STRENGTH LIMITATION OF CERTAIN MILITARY PERSONNEL ASSIGNED FOR DUTY IN CONNECTION WITH THE FOREIGN MILITARY SALES PROGRAM.

(a) EXCLUSION.—Except as provided in subsection (c), members of the Armed Forces on active duty who are assigned to an entity specified in subsection (b) for duty in connection with the Foreign Military Sales (FMS) program shall not count toward any end strength limitation for active-duty personnel otherwise applicable to members of the Armed Forces on active duty.

(b) SPECIFIED ENTITIES.—The entities specified in this subsection are the following:
(1) Military departments.
(2) The Defense Security Cooperation Agency.
(3) The combatant commands.

(c) INAPPLICABILITY TO GENERAL AND FLAG OFFICERS.—Subsection (a) shall not apply with respect to any general or flag officer assigned as described in that subsection.

SA 2166. Mr. INHOFE (for himself and Mr. Moran) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 1. SUPPORT FOR RURAL WATER SYSTEMS—

Section 3.7(f) of the Farm Credit Act of 1971 (12 U.S.C. 2123(b)) is amended—
(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;
(2) in the matter preceding subparagraph (A) (as so redesignated), by striking “(f) The banks” and inserting “(f) Support for Rural Water Systems,—

(1) IN GENERAL.—The banks;”;

(3) in the designated matter following paragraph (1)(B) (as so designated), by striking “For purposes of” and all that follows through “means” and inserting the following:

“(2) DEFINITION OF RURAL AREA.—In this subsection, the term ‘rural area’—

(A) means’’; and

(b) in paragraph (2)(A) (as so designated), by striking the period at the end and inserting the following: ‘’; and

(2) includes, only in the case of a loan made under paragraph (1) that is guaranteed by the Secretary of Agriculture under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.), a rural area (as defined in section 332(a)(13) of that Act (7 U.S.C. 1991(a)(13))’’.

SA 2167. Mr. MENENDEZ, for himself and Mr. SULLIVAN, submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 114. PROCUREMENT OF S-400 AIR DEFENSE MISSILE SYSTEM FROM REPUBLIC OF TURKEY.

(a) AUTHORITY.—Subject to subsection (b), such sums as may be necessary are appropriated for the Army for the purchase of an S-400 missile defense system.

(b) CERTIFICATION REQUIREMENT.—The authority to purchase an S-400 missile defense system under subsection (a) is subject to a certification by the Secretary of Defense with the Secretary of State, and the Secretary of Energy, that the proceeds of such purchase will not be utilized to purchase or otherwise acquire military apparatus deemed by the United States to be incompatible with the North Atlantic Treaty Organization.

SA 2168. Mr. DURBIN (for himself and Mr. GRAHAME) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDINATED ACTION TO ENFORCE THE SECURITY OF BALTIC ALIASES.

It is the sense of Congress that—

(1) the continued security of the Baltic states of Estonia, Latvia, and Lithuania is
critical to achieving United States national security interests and defense objectives against the acute and formidable threat posed by Russia;

(2) the Baltic States are model NATO allies in terms of burden sharing and capital investment in material critical to United States and allied security, investment of over 20 percent of their defense budgets on capital modernization, matching security assistance from the United States, frequently deploying their forces around the world in support of allied and United States objectives, and sharing diplomatic, technical, military, and analytical expertise on defense and security matters;

(3) the United States should continue to strengthen bilateral and multilateral defense by, with, and for allied nations, particularly those that possess expertise and dexterity but do not enjoy the benefits of national economies of scale;

(4) the United States should pursue a dedicated initiative focused on defense and security assistance, coordination, and planning designed to ensure the continued security of the Baltic States and on deterring current and future challenges to the national sovereignty of United States allies and partners in the Baltic region and;

(5) an initiative should include an innovative and comprehensive conflict deterrence strategy for the Baltic region encompassing the unique geography of the Baltic states and on confining threats to their land, sea, and air spaces, and necessary improvements to their defense posture, including command-and-control infrastructure, intelligence, surveillance, and reconnaissance capabilities, communications equipment and networks, and special forces.

SA 2169. Mr. DURBIN (for himself, Mr. MARKEY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection H of title V, add the following:

SEC. 1292. SENSE OF SENATE ON THE RUSSIAN FEDERATION'S ILLEGAL OCCUPATION OF CRIMEA AND DONBASS.

It is the sense of the Senate that—

(1) as precondition for readmission into a reconstituted G8, the Russian Federation must end its illegal occupation of Crimea and Donbas and cease its malign activities against democratic countries; and

(2) it should be the official policy of the United States to reject the readmission of the Russian Federation into a reconstituted G8 and the participation of the Russian Federation in any future G7 proceeding unless the Russian Federation has ended its illegal occupation of Crimea and Donbas and is fully implementing its commitments under the Minsk agreements.

SA 2170. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 593. IMPROVEMENTS TO FINANCIAL LITERACY TRAINING; PROVISION OF INFORMATION RELATING TO THE BLENDED RETIREMENT SYSTEM.

(a) Improvements to Financial Literacy Training—

(1) In general.—Subsection (a) of section 992 of title 10, United States Code, is amended—

(A) in paragraph (2)(C), by striking “grade E-4” and inserting “grade E-6”;

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

“(6) In carrying out the program to provide training under this subsection, the Secretary concerned shall—

(i) focuses on ensuring that members of the armed forces who receive such training develop proficiency in financial literacy rather than focusing on completion of training modules;

(ii) is based on best practices in the financial services industry, such as the use of a social learning approach and the incorporation of elements of behavioral economics or gamification; and

(iii) is designed to address the needs of members and their families;

(2) Members shall—

(A) ensure that such training—

(i) is conducted by a financial services counselor who is qualified as described in paragraph (3) of subsection (b) or by other means as means described in paragraph (2)(A)(i) of that subsection;

(ii) is provided, to the extent practicable—

(I) in a class held in person with fewer than 50 attendees; or

(II) one-on-one between the member and a financial services representative described in subclause (III) or (IV) of subsection (b)(2)(A)(i); and

(iii) is provided through computer-based methods only if methods described in clause (ii) are impractical or unavailable;

(C) ensure that—

(i) an in-person class described in subparagraph (I) is available to the spouse of a member; and

(ii) if a spouse of a member is unable to attend such a class in person—

(D) training is available to the spouse through Military OneSource; and

(E) the member is informed during the in-person training of the member under subparagraph (B)(i) with respect to how the member’s spouse can access the training;

(3) Members shall—

(A) ensure that such training, and all documents and materials provided in relation to such training, are presented or written in a manner that the Secretary determines can be understood by the average enlisted member;

(B) ensure that all forms relating to retirement that are relevant to the member, including with respect to the Thrift Savings Plan, are provided in a manner to how to find additional information; and

(C) contact information for—

(A) counselors provided through—

(i) the Personal Financial Counselor program, the Personal Financial Management program, or Military OneSource; or

(ii) nonprofit organizations or agencies that have in effect agreements with the Department of Defense to provide financial services counseling; or

(B) qualified representatives of banks or credit unions operating under an operating agreement with the Department of Defense to provide retirement counseling;

(4) Advisory Council on Financial Readiness.—Such section is further amended by inserting after subsection (e), as redesignated by paragraph (3)(A), the following new subsection:

“(f) Advisory Council on Financial Readiness.—

(1) Establishment.—There is an Advisory Council on Financial Readiness (in this section referred to as the ‘Council’).

(2) Membership.—

(A) In general.—The Council shall consist of 12 members appointed by the Secretary of Defense, as follows:

(i) three shall be representatives of military support organizations;

(ii) three shall be representatives of veterans service organizations;

(iii) three shall be representatives of private, nonprofit organizations with a vested interest in education and communication of financial education and financial services;

(iv) three shall be representatives of governmental entities with a vested interest in education and communication of financial education and financial services.

(B) Qualifications.—The Secretary shall appoint members to the Council from among individuals qualified to appraise military compensation, military retirement, and financial literacy training.

(C) Terms.—Members of the Council shall serve for terms of three years, except that—

(i) if the member first appointed—

(1) five shall be appointed for terms of one year;

(2) five shall be appointed for terms of two years; and

(3) five shall be appointed for terms of three years.

(D) Reapportionment.—A member of the Council may be reapportioned for additional terms.

(E) Vacancies.—Any member appointed to fill a vacancy occurring before the expiration of the term of office for which such member’s predecessor was appointed shall be appointed only for the remainder of such term.

(2) Qualified Representatives for Counseling for Members and Spouses.—Subsection (b)(2)(A)(ii) of such section is amended by adding at the end the following:

“(IV) Financial representatives of banks or credit unions operating on military installations pursuant to an operating agreement with the Department of Defense or a military department.”;

(3) Provision of Retirement Information.—Such section is further amended—

(A) by inserting after subsection (e)(1) the following new subsection (e)(2):

“(2) Members shall—

(i) ensure that all forms relating to retirement that are relevant to the member, including with respect to the Thrift Savings Plan, are provided in a manner to how to find additional information; and

(ii) contact information for—

(A) counselors provided through—

(i) the Personal Financial Counselor program, the Personal Financial Management program, or Military OneSource; or

(ii) nonprofit organizations or agencies that have in effect agreements with the Department of Defense to provide financial services counseling; or

(B) qualified representatives of banks or credit unions operating under an operating agreement with the Department of Defense to provide retirement counseling;

(B) by inserting after subsection (f) the following new subsection (f):

“(f) Advisory Council on Financial Readiness.—In each training under subsection (a) and in each meeting to provide counseling under subsection (b), a member of the armed forces shall be provided with—

(i) all forms relating to retirement that are relevant to the member, including with respect to the Thrift Savings Plan, are provided in a manner to how to find additional information; and

(ii) contact information for—

(A) counselors provided through—

(i) the Personal Financial Counselor program, the Personal Financial Management program, or Military OneSource; or

(ii) nonprofit organizations or agencies that have in effect agreements with the Department of Defense to provide financial services counseling; or

(B) qualified representatives of banks or credit unions operating under an operating agreement with the Department of Defense to provide retirement counseling;

(5) Duties and Functions.—The Council shall—

(A) advise the Secretary with respect to matters relating to financial literacy and financial readiness of members of the armed forces; and
“(B) submit to the Secretary recommendations with respect to those matters.

“(4) MEETINGS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Council shall meet not less frequently than twice each year and at such other times as the Secretary requests.

“(B) DURING ELECTORAL PERIOD FOR BLENDED RETIREMENT SYSTEM.—During the two-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021 and ending on the end of the period provided for under section 1409(b)(4) and 12736(k) to elect to be enrolled in the Blended Retirement System, the Council shall meet not less frequently than every 90 days.

“(C) majority of members shall constitute a quorum and action shall be taken only by a majority vote of the members present and voting.

“(5) SUPPORT SERVICES.—The Secretary shall provide to the Council an executive secretary and such secretarial, clerical, and other support services as the Council considers necessary to carry out the duties of the Council;

“(B) may request that other Federal agencies provide statistical data, reports, and other information that is reasonably accessible to the Council in the performance of the duties of the Council.

“(6) COMPENSATION.—While away from their homes or regular places of work on official business, service members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service who are allowed expenses under section 5705 of title 5.

“(7) ANNUAL REPORT.—Not less frequently than annually, the Secretary shall submit to Congress a report that—

“(1) IN GENERAL.—Not later than 90 days before the date on which the annual report shall be submitted under this section, the Secretary of Defense shall provide a notice to the person, and the person's spouse, if married, that includes the following:

“(A) A description of the tax implications of accepting the lump sum payment, such as the age and rank of such beneficiary.

“(B) An explanation of how the amount of the lump sum payment was calculated, including the interest rate and mortality assumptions used in the calculation, and whether any additional benefits were included in the amount.

“(C) A description of how the option to take the lump sum payment compares to the value of the covered retired pay the person would receive if payments begin immediately; and

“(D) whether a member is eligible for the lump sum payment, such as the age and rank of such beneficiary.

“(8) TERMINATION.—Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. 5703 of title 5).

“(9) DEFINITIONS.—In this subsection:

“(A) MILITARY SUPPORT ORGANIZATION.—means an organization that provides support to members of the uniformed services; and

“(B) by inserting after subsection (d) the following new subparagraph (A):

“(A) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—

“(1) A DDITIONAL ELECTION PERIOD FOR MEMBERS OF UNIFORMED SERVICES.— Section 1409(b) of title 10, United States Code, is amended—

“(A) by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) whether members have taken a partial lump sum payment in exchange for reduced future benefits;

“(B) whether members have taken a full lump sum payment; and

“(C) information relating to the members who have taken a partial or full lump sum payment, such as the age and rank of such members.

“(10) ADDITIONAL ELECTION PERIOD FOR BLENDED RETIREMENT SYSTEM.—

“(1) ADDITIONAL ELECTION PERIOD FOR MEMBERS OF UNIFORMED SERVICES.—Section 1409(b) of title 10, United States Code, is amended—

“(A) by striking subparagraph (A) and inserting the following new subparagraph (A):

“(B) by striking subparagraph (B) and inserting the following new subparagraph (B):
(C)(1), may elect, in exchange for the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member, to receive Thrift Savings Plan contributions pursuant to section 8440(e) of title 5.;

(C) in subparagraph (C)(1), by striking ‘‘the period’’ and all that follows and inserting that ‘‘the period that’’;

‘‘(1) begins on a date selected by the Secretary of Defense, which—

‘‘(aa) may not be earlier than the date that is one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and not later than the date that is two years after such date of enactment; and

‘‘(bb) shall be the same as the date selected under section 12736(c)(2)(B)(i)(1)(aa); and

‘‘(II) ends on the date that is 180 days after the date selected under subclause (I).’’;

(D) by redesignating subparagraph (E) as subparagraph (F); and

(E) by inserting after subparagraph (D) the following new subparagraph (E):

‘‘(E) SPECIAL RULES RELATING SECOND ELECTION PERIOD.—The Secretary concerned shall—

‘‘(i) to the extent practicable, provide to each member described in subparagraph (B) and (the member’s spouse, if married)—

‘‘(1) in person and with fewer than 50 attendees, on the Blended Retirement System and the differences between that system and the predecessor retirement system; and

‘‘(II) financial counseling described in section 952(b) focused on the suitability of the Blended Retirement System and of the predecessor retirement system; and

‘‘(ii) require each such member to make the election described in subparagraph (B) or decline to make that election;

‘‘(iii) document the decision of the member under clause (ii) in a statement that describes the features of the Blended Retirement System and of the predecessor retirement system; and

‘‘(iv) have the member (and the member’s spouse, if married) sign the statement described in clause (iii) to acknowledge understanding of those features.’’;

(2) ADDITIONAL ELECTION PERIOD FOR MEMBERS OF THE RESERVE COMPONENTS.—Section 12736(f) of title 10, United States Code, is amended—

(A) by striking paragraph (1) and inserting the following new paragraph (1):

‘‘(1) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—

‘‘(A) IN GENERAL.—Notwithstanding subsection (a)(1), in the case of a person described in subparagraph (B) (referred to as a ‘‘full TSP member’’)—

‘‘(i) subsection (a)(2) shall be applied by substituting ‘60 percent’ for ‘75 percent’; and

‘‘(ii) subparagraph (B)(i) of such subsection shall be applied by substituting ‘2 percent’ for ‘2½ percent’.‘‘

(B) FULL TSP MEMBERS.—A person described in subparagraph (A) who first performs reserve component service on or after January 1, 2018, after not having performed regular or reserve component service on or before that date;

‘‘(i) a person who first performs reserve component service on or after January 1, 2018, after not having performed regular or reserve component service on or before that date;

‘‘(ii) a person described in paragraph (2)(A) who makes the election described in that paragraph;

‘‘(iii) a person who made the election described in paragraph (2)(A), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.’’;

(2) by striking subparagraph (A) and inserting the following new subparagraph (A):

‘‘(A) IN GENERAL.—Pursuant to subparagraph (B), a person performing reserve component service on or after January 1, 2018, who has performed fewer than 12 years of service as of the date selected by the Secretary of Defense under subparagraph (B)(i)(I) (as computed in accordance with section 12736 of this title), may elect, in exchange for the reduced multipliers described in paragraph (1) for purposes of calculating the retired pay of the person, to receive Thrift Savings Plan contributions pursuant to section 8440(e) of title 5.

‘‘(B) ADDITIONAL ELECTION PERIOD FOR MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall, to the extent feasible, provide such information to a member of the Armed Forces so that the member is able to answer the questions of other members if necessary.

(d) REPORT ON IMPROVED ACCESS TO THRIFT SAVINGS PLAN.—Not later than 18 months after the date of the enactment of this Act, the Federal Retirement Thrift Investment Board shall submit to Congress a report on regulations that the Federal Retirement Thrift Investment Board, or other appropriate Federal agency, for purposes of calculating the retired pay of the member.

(4) TRAINING OF CERTAIN OFFICERS.—The Secretary of Defense shall ensure that each member of the armed forces in pay grade E-9 or below or in pay grade O-6 or below receives training with respect to the features of the Blended Retirement System, without regard to whether the member is eligible to make an election between the Blended Retirement System and the predecessor retirement system.
“(1) under such arrangement the agency agrees to such safeguards as the Commissioner determines are necessary or appropriate to protect the information from unauthorized disclosure, misuse, or unauthorized access, including the reasonable costs associated with the collection and maintenance of information regarding deceased individuals furnished to or maintained by the Commissioner pursuant to paragraph (1); and

“(ii) under such arrangement the agency provides reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out the arrangement, including the reasonable costs associated with the collection and maintenance of information regarding deceased individuals furnished to or maintained by the Commissioner pursuant to paragraph (1); and

“(iii) such arrangement does not conflict with the duties of the Commissioner of Social Security.

“(B) The Commissioner of Social Security shall, to the extent feasible, provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection, through a cooperative arrangement in order for a Federal agency to carry out any of the following purposes, if the requirements of clauses (i), (ii), and (iii) of subparagraph (A) are met:

“(i) under such arrangement, the agency operating the Do Not Pay working system established under section 5 of the Improper Payments Elimination and Recovery Improvements Act of 2012 (31 U.S.C. 3321 note) is authorized to use or disclose information disclosed by the Commissioner with personally identifiable information reviewed through the working system, and may compare or otherwise examine such information, as appropriate, to any Federal or State agency authorized to use the working system.

“(ii) The tax administration duties of the agency.

“(iii) Oversight activities of the Inspector General of an agency that is provided information regarding all deceased individuals furnished to or maintained by the Commissioner pursuant to this paragraph.

“(iv) Civil or criminal enforcement activities that are authorized by law.

“(C) With respect to the reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out a cooperative arrangement described in subparagraph (B), the Commissioner shall—

“(i) establish a defined calculation method for purposes of calculating the reasonable cost of carrying out the arrangement that does not take into account any services, information disclosure, or reimbursement provided by the agency to the Commissioner; and

“(ii) reimbursement payments shall be accounted for and recorded separately from other transactions.

“(D) The Commissioner of Social Security may enter into similar arrangements with States to provide information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection for use by States in programs wholly funded by the States, or for use in the administration of benefit or pension retirement system for employees of a State or a political subdivision thereof, if the requirements of clauses (i), and (ii) of paragraph (3)(A) are met. For purposes of this paragraph, the terms retirement system and political subdivision have the meanings given in section 205 of the Social Security Act (42 U.S.C. 405(r)).

“(E) The Commissioner of Social Security may or may provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection for statistical purposes and research activities by Federal and State agencies (including research activities relating to a contract or cooperative arrangement (as such terms are defined for purposes of sections 6893 and 6895, respectively, of title 31, United States Code) with such an agency) if the requirements of clauses (i) and (ii) of paragraph (3)(A) are met.

“(1) Guidance to agencies.—Not later than 1 year after the date of enactment of this section, and in consultation with the Council of Inspectors General on Integrity and Efficiency, the Director of the Office of Management and Budget shall submit a report to Congress on the results of the review and analyses required under subparagraph (A). The report shall include recommendations to Congress for any statutory or regulatory changes, including the recommendation for enactment of legislation, that would facilitate the use of information regarding deceased individuals by Federal agencies, in circumstances in which the disclosure of such information to the Federal Government with respect to the death of an individual is not otherwise required. The report shall include recommendations for the appropriate use or disclosure of such information to provide cost-effective, data regarding individuals who are not eligible for or receiving benefits.
(a) IN GENERAL.—The Comptroller General of the United States shall prepare a study under subsection (a), the Comptroller General of the United States shall prepare and submit to Congress a report regarding an estimate of the number of erroneous records.

(b) COST-BENEFIT ANALYSIS.—The study conducted under subsection (a) shall include a cost-benefit analysis to determine the effectiveness and impact of school resource officers and local law enforcement personnel on school climate and student discipline.

(c) REPORT.—Upon the conclusion of the study submitted under subsection (a), the Comptroller General of the United States shall prepare and submit to Congress a report regarding the findings and recommendations generated from the study.

SA 2173. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitile A of title XVI, add the following:

SEC. 1610. EVALUATION AND REPORT ON OPERATIONAL CENTERS FOR COMMANDING, CONTROLLING, AND DISTRIBUTING DATA FOR SMALL Satellites.

(a) EVALUATION.—

(1) IN GENERAL.—The Secretary of Defense shall evaluate readily available operational centers for controlling, and disseminating data for small satellites.

(2) ELEMENTS.—The evaluation required by paragraph (1) shall include an assessment of—

(A) the cost, schedule, and deployment of rapid prototyping and testing of new space technologies for small satellite programs; and

(B) the potential effects of the finite number of operational centers described in paragraph (1) that are agile, maintainable, accredited, certified, available, and located within reasonable proximity to manufacturer and researcher facilities.

(b) REPORT.—Not later than 180 days after the date on which the enactment of this Act, the Secretary shall submit to Congress a report on the results of the evaluation conducted under subsection (a).

SA 2174. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1303. FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE.

(a) IN GENERAL.—An individual, including a veteran (as defined in section 101 of title 38, United States Code), or the legal representative of such an individual, who resided, worked, or was otherwise exposed (including a latent disease), may not thereupon bring an action under this section for any harm, including a latent disease, may not there—a punitive action against the United States for such harm.

(b) COST-BENEFIT ANALYSIS.—The study conducted under subsection (a) may bring an action under this section regardless of any prior claim or action dismissed or otherwise terminated for any reason related to the harm described in subsection (a).

(c) USE OF STUDIES.—A study conducted on humans or animals, or from an epidemiological study, which ruled out chance and bias with reasonable confidence and which concluded, with sufficient evidence, that exposure to the water described in subsection (a) is one possible cause of the harm, shall be sufficient to satisfy the plaintiff’s burden of proof in an action under this section.

(d) EXCLUSIVE REMEDY AND VENUE.—The United States District Court for the Eastern District of North Carolina shall have exclusive jurisdiction under this section, and shall be the exclusive venue for such an action, including any multi-district claims. Nothing in this subsection shall impair any party’s right to a trial by jury.

(e) EXCLUSIVE REMEDY.—

(1) IN GENERAL.—An individual who brings an action under this section for any harm, including a latent disease, may not thereafter bring a tort action pursuant to any other law against the United States for such harm.

(2) NO EFFECT ON DISABILITY BENEFITS.—Any award under this section shall not impede or limit the continued or future entitlement of an individual to disability awards, benefits, or medical treatment for service-connected disabilities, or other law against the United States for such harm.

(f) IMMUNITY WAIVER.—The United States may not be liable to an individual to disability awards, benefits, or medical treatment for service-connected disabilities, or other law against the United States for such harm.

(g) NO PUNITIVE DAMAGES.—Punitive damages may not be awarded in any action under this section.

(h) DISPOSITION BY FEDERAL AGENCY REQU—An individual may not bring an action under this section by complying with section 2675 of title 28, United States Code.

(i) PERIOD FOR FILING.—

(1) IN GENERAL.—Except as provided in paragraph (2), an action under this section may not be commenced after the later of—

(A) the date that is 2 years after the date on which the claim is denied under section 2675 of title 28, United States Code; or

(B) the date that is 180 days after the date on which the claim is denied under section 2675 of title 28, United States Code.

(2) SPECIAL RULE.—In the case of harm which was discovered before the date of the enactment of this Act, an action under this section may not be commenced after the later of—

(A) the date that is 2 years after the date on which the claim is denied under section 2675 of title 28, United States Code; or

(B) the date that is 180 days after the date on which the claim is denied under section 2675 of title 28, United States Code.

(j) EXCEPT FOR COMBATANT ACTIVITIES.—This section does not apply to any

Camp Lejeune that was supplied by, or on behalf of, the United States may bring an action in the United States District Court for the Eastern District of North Carolina to obtain appropriate relief for harm:

(1) which was caused by exposure to the water; and

(2) which was associated with exposure to the water; or

(3) which was linked to exposure to the water.

SEC. 1304. PRIOR CLAIMS NOT A BAR.—An individual described in subsection (a) may bring an action under this section regardless of any prior claim or action dismissed or otherwise terminated for any reason related to the harm described in subsection (a).
(1) Amortization.—An award of money damages under this section may include an order for the payment of money to be amortized over a period of up to 20 years. The Government may agree to amortize a payment made pursuant to a settlement agreement of up to 20 years.

SA 2175. Mr. Cramer submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 2800. MODIFICATION TO AUTHORITY FOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT INSTALLATIONS.

Section 2009(b) of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(1) paragraph (1), by inserting “and annually thereafter,” after “this Act,”; and
(2) in paragraph (2)—
(A) in subparagraph (A), by striking “the fiscal year”; and
(B) in subparagraph (B), by inserting “in which the project is included” before the period at the end.

SA 2176. Mr. Lankford (for himself and Mr. Johnson) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

TITLE XVII—PREVENTING GOVERNMENT SHUTDOWNS

SEC. 1701. SHORT TITLE.

This title may be cited as the “Prevent Government Shutdowns Act of 2020”.

SEC. 1702. AUTOMATIC CONTINUING APPROPRIATIONS.

(a) In General.—Chapter 13 of title 31, United States Code, is amended by adding at the end the following:

SEC. 1311. Automatic continuing appropriations

“1311. Automatic continuing appropriations

“(a) In General.—On and after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted or continuing appropriations are not in effect with respect to the program, project, or activity, there are appropriated such sums as may be necessary to continue, at the rates and amounts specified in such appropriation Act or continuing appropriations in such precedent year, until the end of such fiscal year, for such program, project, or activity.

“(b) Limitation.—Except as provided in section 1312, no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity, during the period beginning on the date on which a covered period begins, funds may be obligated and expended for official travel by a covered officer or employee from one location in the National Capital Region to another location in the National Capital Region.

“(c) Expenditures.—Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation Act, or a law making continuing appropriations for such fiscal year, for such program, project, or activity is enacted.

“(d) This section shall not apply to a program, project, or activity for any fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or extends for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue beyond the period specified for such program, project, or activity in an appropriation Act.

“(e) Limitation.—Except as provided in subsection (d)(1), during a covered period no amounts may be obligated or expended for official travel by a covered officer or employee.

“(f) Exception.—(1) Return to DC.—If a covered officer or employee is away from the seat of the Government on the date on which a covered period begins, funds may be obligated and expended for official travel for a single return trip to the seat of Government by the covered officer or employee.

“(2) Travel in national capital region.—During a covered period, amounts may be obligated or expended for official travel by a covered officer or employee from one location in the National Capital Region to another location in the National Capital Region.

“(3) National security events.—During a covered period, if a national security event that triggers a continuity of operations or continuity of Government protocol occurs, amounts may be obligated and expended for official travel by a covered officer or employee for any official travel relating to the national security event or implementing the continuity of operations or continuity of Government protocol.

“(g) Restriction on use of campaign funds for official travel during lapse in appropriations

“(1) In General.—Except as provided in paragraph (2), during a covered period (as defined in section 1703 of the Prevent Government Shutdowns Act of 2020), a contribution or donation described in subsection (a) may be obligated or expended for travel in connection with duties of the individual as a holder of Federal office.
resentatives to move to waive any provision in order in the Senate or the House of Representatives—

(A) it shall not be in order to move to proceed to any matter except for—

(i) a measure making appropriations for the fiscal year during which the covered period begins;

(ii) a motion relating to determining or obtaining the presence of a quorum; or

(iii) the 98th calendar day after the first day of a fiscal year—

(I) the nomination of an individual—

(aa) to a position at level I of the Executive Schedule under section 512 of title 5 of the United States Code; or

(bb) to serve as Chief Justice of the United States or an Associate Justice of the Supreme Court of the United States; or

(ii) a bill or joint resolution may be considered the same day as it is introduced and shall not have to lie over 1 day; and

(B) the motion to proceed to the bill or joint resolution may not be raised more than once in any 24-hour period and may not exceed 6 hours, equally divided between the proponents and opponents of the motion, and upon the use or yielding back of time, the Senate shall communicate its decision.

SEC. 1704. BUDGETARY EFFECTS.

(a) CLASSIFICATION OF BUDGETARY EFFECTS.—The budgetary effects of this title and the amendments made by this title shall be estimated, and the amendments made by this title are discretionary appropriations Acts for purposes of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.).

(b) BASELINE.—For purposes of calculating the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the provision of budgetary resources under section 1311 of title 31, United States Code, as added by this title, for an account shall be considered to be a continuing appropriation in effect for such account for less than the entire current year.

(c) ENFORCEMENT OF DISCRETIONARY SPENDING LIMITS.—For purposes of enforcing the discretionary spending limits under section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(4)), the budgetary resources made available under section 1311 of title 31, United States Code, as added by this title, shall be considered part-year appropriations for purposes of section 251(a)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(4)).

SEC. 1705. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on September 30, 2021.

SA 2177. Ms. ERNST (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE—CYBER WORKFORCE MATTERS

SEC. 1. IMPROVING NATIONAL INITIATIVE FOR CYBERSECURITY EDUCATION.

(a) PROGRAM IMPROVEMENTS GENERALLY.—

Subsection (a) of section 401 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7601) is amended—

(1) in paragraph (5), by striking ‘‘; and’’ and inserting a semicolon;

(2) by redesignating paragraph (6) as paragraph (5); and

(3) by inserting after paragraph (5) the following:

‘‘(6) supporting efforts to identify cybersecurity workforce skill gaps in public and private sectors;’’.

(b) STRATEGIC PLAN.—Subsection (c) of such section is amended—

(1) by striking ‘‘The Director’’ and inserting the following:

‘‘(1) IN GENERAL.—The Director’’;

(2) by adding at the end the following:

‘‘(2) REQUIREMENT.—The strategic plan developed and implemented under paragraph (1) shall include an indicator of how the Director will carry out this section.’’;

(c) CYBERSECURITY CAREER PATHWAYS.—

(1) IDENTIFICATION OF MULTIPLE CYBERSECURITY CAREER PATHWAYS.—In carrying out subsection (a) of such section and not later than 540 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall, in coordination with the Secretary of Defense, the Secretary of Homeland Security, and the Director of the Office of Personnel Manage- ment, use a consultative process with other Federal agencies, academia, and industry to identify multiple career pathways for cybersecurity workforce roles that can be used in the private and public sectors

(2) REQUIREMENTS.—The Director shall ensure that the multiple cybersecurity career pathways identified under paragraph (1) indicate the knowledge, skills, and abilities, including relevant education, training, apprenticeships, certifications, and other experiences that—

(A) align with employers’ cybersecurity skills needs, including proficiency level requirements, for its workforce, and

(B) prepare a student to be successful in entering or advancing in a cybersecurity career.
(3) Exchange program.—Consistent with requirements under chapter 37 of title 5, United States Code, the Director of the National Institute of Standards and Technology, in coordination with the Director of the Office of Personnel Management, may establish a voluntary program for the exchange of employees engaged in one of the cyber-related disciplines identified in the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800-181). The Director shall establish such a framework, in coordination with the National Institute of Standards and Technology and private sector institutions, including educational institutions, research institutions, or an institution of higher education, as the Director of the National Institute of Standards and Technology considers feasible.

(d) Proficiency to perform cybersecurity tasks.—Not later than 540 days after the date of enactment of this Act, the Director shall, through the National Institute of Standards and Technology, develop proficiency to perform cybersecurity tasks. The Director shall establish such a framework, in coordination with the Secretary of Defense and the Secretary of Homeland Security, as the Director considers feasible.

(1) in carrying out subsection (a) of such section, assess the scope and efficiency of training requires under part 200 of title 2, Code of Federal Regulations (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards), consistent with requirements under part 200 of title 2, Code of Federal Regulations (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards).

(6) Reports.—

(A) In general.—Upon completion of a cooperative agreement under paragraph (1), the Director shall submit to Congress a report on the activities of the regional alliance under the agreement, which may include training and education outcomes.

(B) Contents.—Each report submitted under subparagraph (A) by a regional alliance or partnership shall include the following:

(i) An assessment of efforts made by the regional alliance or partnership to carry out pursuant to section 303 of the Cybersecurity Workforce Assessment Act of 2015 (Public Law 114–113) is amended by striking ‘‘under section 303 of the Cybersecurity Workforce Assessment Act of 2015 (15 U.S.C. 7451)’’ and inserting ‘‘under section 303 of the Cybersecurity Workforce Assessment Act of 2015 (Public Law 113–274)’’.

(B) The Director shall submit to Congress a report on the activities of the regional alliance under the cooperative agreement.

(C) The report submitted under paragraph (3) shall include the following:

(i) A plan to establish (or identification of, if it already exists) a multistakeholder workforce partnership that includes—

(ii) A description of how employers in the community will be recruited to support in- 

(iii) A description of how the workforce partnership will leverage the programs and objectives of the National Initiative for Cybersecurity Education, such as the Cybersecurity Workforce Framework and the strategic plan of such initiative.

(iii) A description of how the multistake- 

(iv) A description of how employers in the community may be supported to support in- 

(v) A definition of the metrics that will be used to measure the success of the efforts of the regional alliance or partnership under the agreement.

(vi) Priority consideration.—In awarding financial assistance under paragraph (3)(A), the Director shall give priority consideration to a regional alliance or partnership that includes an institution of higher education which receives an award under the Federal Cybersecurity Scholarship for Service program located in the State or region of the regional alliance or partnership.

(D) The Director may enter into a cooperative agreement for which financial assistance is awarded under paragraph (3) shall be subject to audit requirements under part 200 of title 2, Code of Federal Regulations (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards), consistent with requirements under part 200 of title 2, Code of Federal Regulations (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards).
SEC. 5. MODIFICATIONS TO FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) in subsection (a), by striking “information technology” and inserting “technology and cybersecurity”; and

(2) in paragraph (4), by striking “or” at the end; and

(3) by adding at the end the following:

“(c) CYBERSECURITY IN PROGRAMS OF THE NATIONAL SCIENCE FOUNDATION.—

(a) COMPUTER SCIENCE AND CYBERSECURITY EDUCATION RESEARCH.—Section 310 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s–7) is amended—

(1) in subsection (b), by striking “and inserting “cybersecurity” after “computer science”; and

(b) SCIENTIFIC AND TECHNICAL EDUCATION.—Section 3(j)(9) of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862s–2) is amended—

(1) in paragraph (1), by striking “and inserting “cybersecurity” after “computer science”; and

(d) SCHOLARSHIPS AND GRADUATE FELLOWSHIPS.—The Director of the National Science Foundation shall ensure that students pursuing master’s degrees and doctoral degrees in fields relating to cybersecurity are considered as applicants for scholarships and graduate fellowships under the Graduate Research Fellowship Program under section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1869).

(e) PRESIDENTIAL AWARDS FOR TEACHING EXCELLENCE.—The Director of the National Science Foundation shall ensure that educators and institutions relating to cybersecurity can be considered for—

(1) Presidential Awards for Excellence in Mathematics and Science Teaching made under section 2 of the National Science Foundation Act of May 17, 1950 (42 U.S.C. 1862d); and

(2) Presidential Awards for Excellence in STEM Teaching made under section 307 of the America Innovation and Competitiveness Act (42 U.S.C. 1862s–6).

SEC. 6. MODIFICATIONS TO FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) in subsection (a), by striking “cyber” and inserting “technology and cybersecurity”; and

(2) in paragraph (4), by striking “or” at the end; and

(3) by adding at the end the following:

“(c) Low-Income Scholarship Program.—Section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c) is amended—

(1) in paragraph (1), by striking “or computer science” and inserting “computer science, or cybersecurity”; and

(2) in paragraph (2)(B)(i), by striking “cybersecurity” after “computer science,”; and

(d) SCHOLARSHIPS AND GRADUATE FELLOWSHIPS.—The Director of the National Science Foundation shall ensure that students pursuing master’s degrees and doctoral degrees in fields relating to cybersecurity are considered as applicants for scholarships and graduate fellowships under the Graduate Research Fellowship Program under section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1869).

(e) PRESIDENTIAL AWARDS FOR TEACHING EXCELLENCE.—The Director of the National Science Foundation shall ensure that educators and institutions relating to cybersecurity can be considered for—

(1) Presidential Awards for Excellence in Mathematics and Science Teaching made under section 2 of the National Science Foundation Act of May 17, 1950 (42 U.S.C. 1862d); and

(2) Presidential Awards for Excellence in STEM Teaching made under section 307 of the America Innovation and Competitiveness Act (42 U.S.C. 1862s–6).
“(2) COORDINATION.—In establishing the challenges under paragraph (1), the Secretary shall coordinate with the Secretary of Homeland Security on the challenges under subparagraph (B) and (E) of such paragraph.

“(b) PURSUIT OF NATIONAL CYBERSECURITY CHALLENGES.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Under Secretary of Commerce for Standards and Technology, shall commence efforts to pursue the national cybersecurity challenges established under subsection (a).

“(2) COMPETITIONS.—The efforts required by paragraph (1) shall include carrying out programs to award prizes, including cash and noncash prizes, competitively pursuant to the authorities and processes established under subsection (a) of title I of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) or any other applicable provision of law.

“(3) ADDITIONAL AUTHORITIES.—In carrying out paragraph (1), the Secretary may enter into and perform such other transactions as the Secretary considers necessary and on such terms as the Secretary considers appropriate.

“(4) COORDINATION.—In pursuing national cybersecurity challenges under paragraph (1), the Secretary shall coordinate with the following:

“(A) The Director of the National Science Foundation.

“(B) The Secretary of Homeland Security.

“(C) The Director of the Defense Advanced Research Projects Agency.

“(D) The Under Secretary of Commerce for Standards and Technology.

“(E) The Administrator of the General Services Administration.


“(G) The heads of such other Federal agencies as the Secretary of Commerce considers appropriate for purposes of this section.

“(5) SOLICITATION OF ACCEPTANCE OF FUNDS.—

“(A) IN GENERAL.—Pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Secretary shall request and accept funds from other Federal agencies, the District of Columbia, territories, local or tribal government agencies, private sector-for-profit entities, and nonprofit entities to support efforts to pursue a national cybersecurity challenge under this section.

“(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to require any person or entity to provide funds or otherwise participate in an effort or competition under this section.

“(6) COMMENDATIONS.—

“(1) IN GENERAL.—In carrying out this section, the Secretary of Commerce shall designate an advisory council to seek recommendations from foreign organizations.

“(2) EXCERPTS.—The recommendations required by paragraph (1) shall include the following:

“(A) A scope for efforts carried out under subsection (b).

“(B) Metrics to assess submissions for prizes under competitions carried out under subsection (b) as the submissions pertain to the national cybersecurity challenges established under subsection (a).

“(C) NO ADDITIONAL COMPENSATION.—The Secretary shall not provide any additional compensation, except for travel expenses, to a member of the advisory council designated under paragraph (1) for participation in the advisory council.

“(D) CONFORMING AMENDMENTS.—Section 201(a)(1) of such Act is amended—

“(1) in subparagraph (J), by striking ‘‘; and’’ and inserting a semicolon;

“(2) by redesignating subparagraph (K) as subparagraph (L); and

“(3) by inserting after subparagraph (J) the following:

“(K) implementation of section 205 through research and development on the topics identified under subsection (a) of such section; and

“(l) CEREMONIAL AWARDS.—(A) IN GENERAL.—Pursuant to section 201(a)(1) of such Act is amended—

“(1) STOPPING WASTEFUL ADVERTISING BY THE GOVERNMENT.—

“(a) DEFINITIONS.—In this section—

“(1) the term ‘‘advertising’’ means the placement of messages in media that are intended to inform or persuade an audience, including placement in television, radio, a magazine, a newspaper, digital media, direct mail, a tangible product, an exhibit, or a billboard;

“(2) the term ‘‘agency’’ has the meaning given in section 551 of title 5, United States Code;

“(3) the term ‘‘mascot’’—

“(A) means an individual, animal, or object adopted by an agency as a symbolic figure to represent the agency or the mission of the agency; and

“(B) includes a costumed character;

“(4) the term ‘‘public relations’’ means communications by an agency that are directed to the public, including activities dedicated to maintaining the government unit or maintaining or promoting understanding and favorable relations with the community or the public;

“(5) the term ‘‘return on investment’’ means, with respect to the public relations and advertising spending by an agency, a positive return in achieving agency or program goals relative to the investment in advertising and marketing materials; and

“(6) the term ‘‘swag’’—

“(A) means a tangible product or merchandise distributed at no cost with the sole purpose of advertising or promoting an agency, organization, or program;

“(B) includes buttons, candy, clothing, coloring books, caps, fidget spinners, hats, holiday ornaments, jar grip openers, keychains, koozies, magnets, neckties, pouches, plush, sports balls, stuffed animals, thermoses, tote bags, trading cards, and writing utensils; and

“(C) does not include—

“(i) an item presented as an honorary or informal recognition award related to the Armed Forces of the United States, such as a challenge coin or medal issued for sacrifice or meritorious service;

“(ii) a brochure or pamphlet purchased or distributed for informational purposes; or

“(iii) an item distributed for diplomatic purposes, including a foreign emblem;

“(b) PROHIBITIONS; PUBLIC RELATIONS AND ADVERTISING SPENDING.—

“(1) PROHIBITIONS.—Except as provided in paragraph (3), and unless otherwise expressly authorized by law—

“(A) an agency or other entity of the Federal Government may not use Federal funds to purchase or otherwise acquire or distribute swag; and

“(B) an agency or other entity of the Federal Government may not use Federal funds to manufacture or use a mascot to promote an agency, organization, program, or agenda.

“(2) PUBLIC RELATIONS AND ADVERTISING SPENDING.—Each agency shall, as part of the annual budget justification submitted to Congress, report on the public relations and advertising spending of the agency for the previous fiscal year, which may include an estimate of the return on investment for the agency.

“(3) EXCEPTIONS.—

“(A) SWAG.—Paragraph (1)(A) shall not apply with respect to—

“(i) an agency program that supports the mission and objectives of the agency that is initiating the public relations or advertising spending, provided that the spending generates a positive return on investment for the agency;

“(ii) enlistment relating to—

“(I) enlistment or employment with the Armed Forces; or

“(II) employment with the Federal Government;

“(iii) an item distributed by the Bureau of the Census to assist the Bureau in conducting a census of the population of the United States.

“(B) MASCOTS.—Paragraph (1)(B) shall not apply with respect to—

“(i) a mascot that is declared the property of the United States under a provision of law, including under section 2 of Public Law 93–318 (16 U.S.C. 580p–1); or

“(ii) a mascot relating to the Armed Forces of the United States.

“(4) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue regulations to carry out this section.

“SA 2179. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 114. LONG-TERM INVESTMENT AND SUSTAINMENT PLAN FOR CANNON TUBE PROCUREMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall develop a long-term investment and sustainment plan for cannon tube procurement and submit to the congressional defense committees a report on the Army’s plan to mitigate risk to the industrial base.

“SA 2181. Mr. LEAHY (for himself, Mrs. MURRAY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. LONG-TERM INVESTMENT AND SUSTAINMENT PLAN FOR CANNON TUBE PROCUREMENT.
covered military installation selected for military aviation noise in connection with a pilot program to provide funds for the installation of noise insulation at private residences and schools impacted by military installations underwritten by a German public that is traditionally very supportive of the United States; and members of the Armed Forces wounded in Iraq and Afghanistan and other United States Armed Forces in Europe and five of the seven United States Army garrisons in Europe; to maintain the United States presence, Germany contributes approximately $1,000,000,000 of annual costs, including through the provision of bases and facilities, tax exemptions, reduced-cost services, provision of security, and other benefits; the support described in paragraph (3) is underwritten by a German public that is traditionally very supportive of the United States military presence in Germany; United States Armed Forces facilities in Germany include: (A) Ramstein Air Base, a critical hub for operations in the Middle East and Africa and headquarters of the United States Air Force in Europe and Africa; (B) the Landstuhl Regional Medical Center, which has saved the lives of countless members of the United States Forces wounded in Iraq and Afghanistan; (C) the Stuttgart headquarters of both the United States European Command and the United States Africa Command; (D) the Wiesbaden headquarters of United States Army Europe; (E) the Kaiserslautern area, which is home to the 1st Theater Command, responsible for all United States Army logistics in Europe; (F) the Spangdahlem F-16 fighter base; and (G) the Grafenwoehr Training Area, the largest and most sophisticated training facility of the North Atlantic Treaty Organization in Europe; nearly all United States Armed Forces flights to Iraq and Afghanistan pass through Ramstein in southwestern Germany, the largest United States airbase outside the United States; the United States military hospital in Landstuhl treats soldiers wounded in combat in Iraq and Afghanistan and other United States forces, and all of the United States soldiers returning to the United States after their captivity, and to assist additional United States citizens, the United States is constructing a new $1,000,000,000 military hospital in Weilerbach, Germany, which will be the largest military hospital outside the United States; the North Atlantic Treaty Organization continues to play a critical role in the national security of the United States; the approximately 35,000 members of the United States Armed Forces, is essential to supporting North Atlantic Treaty Organization operations and its collective deterrence against threats; United States troop levels in Germany have already decreased significantly since the end of the Cold War, when there were as many as 200,000 members of the United States Armed Forces in Germany; since 1995, the withdrawal of the bulk of forward-deployed United States troops in the European theater and the closure of bases left the United States and the North Atlantic Treaty Organization unprepared for the Russian Federation’s revanchist maneuvers in Ukraine, Georgia, and the Middle East; in response to the Russian Federation’s illegal annexation of Crimea and instigation of a proxy war in Eastern Ukraine, increased military activities in the High North region of Europe, which has been called into question through reportedly adding nuclear-capable missiles to Kaliningrad, and enhanced naval presence in the Baltic Sea, the Arctic Ocean, and the North Sea, the United States and North Atlantic Treaty Organization allies have bolstered their rotational military presence throughout Europe; the United States troop presence in Germany is critical to—(A) maintaining such rotational military presence; (B) United States participation in additional exercises and trainings with allies and partners; (C) the enhanced pre-positioning of United States equipment in European countries on the front lines of the Russia Federation’s aggression; and (D) interrupted efforts to build partner capacity for newer North Atlantic Treaty Organization members and other non-North Atlantic Treaty Organization countries; the United States presence in Germany—(A) supports United States European Command operations; (B) provides significant support to the United States Central Command; (C) serves as the headquarters for the United States Africa Command; and (D) affords the United States an important transit and jumping-off point for operations worldwide; strategic experts, transatlantic leaders, and current and former military personnel have warned that any step to withdraw the already limited United States troop presence in Germany, let alone reduce the United States presence to 25 percent, can only benefit the Russian Federation and weaken the North Atlantic Treaty Organization and United States security as a whole; and reducing the United States troop presence in Germany during a time of growing threats in Europe and beyond is a dangerous strategy that instigates the United States’ international security needs and weakens the North Atlantic Treaty Organization and the transatlantic alliance.

SA 2182. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, to construct, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table: as follows:

SEC. 1282. SENSE OF CONGRESS ON UNITED STATES ARMED FORCES PRESENCE IN GERMANY.

It is the sense of Congress that—

(1) United States troop presence in Germany has a remarkable, longstanding post–World War II legacy and is essential to defending United States national security interests in Europe and beyond; (2) Germany supports United States national security objectives by paying to host the largest number of members of the United States Armed Forces in Europe and five of the seven United States Army garrisons in Europe; (3) to maintain the United States presence, Germany contributes approximately $1,000,000,000 of annual costs, including through the provision of bases and facilities, tax exemptions, reduced-cost services, provision of security, and other benefits; (4) the support described in paragraph (3) is underwritten by a German public that is traditionally very supportive of the United States military presence in Germany; (5) United States Armed Forces facilities in Germany include:

(A) Ramstein Air Base, a critical hub for operations in the Middle East and Africa and headquarters of the United States Air Force in Europe and Africa;

(B) the Landstuhl Regional Medical Center, which has saved the lives of countless members of the United States Forces wounded in Iraq and Afghanistan;

(C) the Stuttgart headquarters of both the United States European Command and the United States Africa Command;

(D) the Wiesbaden headquarters of United States Army Europe;

(E) the Kaiserslautern area, which is home to the 1st Theater Command, responsible for all United States Army logistics in Europe;

(F) the Spangdahlem F-16 fighter base; and

(G) the Grafenwoehr Training Area, the largest and most sophisticated training facility of the North Atlantic Treaty Organization in Europe;

(nearly all United States Armed Forces flights to Iraq and Afghanistan pass through Ramstein in southwestern Germany, the largest United States airbase outside the United States;

(7) the United States military hospital in Landstuhl treats soldiers wounded in combat in Iraq and Afghanistan and other United States forces, and all of the United States soldiers returning to the United States after their captivity, and to assist additional United States citizens, the United States is constructing a new $1,000,000,000 military hospital in Weilerbach, Germany, which will be the largest military hospital outside the United States; the North Atlantic Treaty Organization continues to play a critical role in the national security of the United States; the approximately 35,000 members of the United States Armed Forces, is essential to supporting North Atlantic Treaty Organization operations and its collective deterrence against threats;

(10) United States troop levels in Germany have already decreased significantly since the end of the Cold War, when there were as many as 200,000 members of the United States Armed Forces in Germany;

(11) since 1995, the withdrawal of the bulk of forward-deployed United States troops in the European theater and the closure of bases left the United States and the North Atlantic Treaty Organization unprepared for the Russian Federation’s revanchist maneuvers in Ukraine, Georgia, and the Middle East;

(12) in response to the Russian Federation’s illegal annexation of Crimea and instigation of a proxy war in Eastern Ukraine, increased military activities in the High North region of Europe, which has been called into question through reportedly adding nuclear-capable missiles to Kaliningrad, and enhanced naval presence in the Baltic Sea, the Arctic Ocean, and the North Sea, the United States and North Atlantic Treaty Organization allies have bolstered their rotational military presence throughout Europe;

(13) the United States troop presence in Germany is critical to—

(A) maintaining such rotational military presence;

(B) United States participation in additional exercises and trainings with allies and partners;

(C) the enhanced pre-positioning of United States equipment in European countries on the front lines of the Russia Federation’s aggression; and

(D) interrupted efforts to build partner capacity for newer North Atlantic Treaty Organization members and other non-North Atlantic Treaty Organization countries;

(14) the United States presence in Germany—

(A) supports United States European Command operations;

(B) provides significant support to the United States Central Command;

(C) serves as the headquarters for the United States Africa Command; and

(D) affords the United States an important transit and jumping-off point for operations worldwide;

(15) strategic experts, transatlantic leaders, and current and former military personnel have warned that any step to withdraw the already limited United States troop presence in Germany, let alone reduce the United States presence to 25 percent, can only benefit the Russian Federation and weaken the North Atlantic Treaty Organization and United States security as a whole; and

(16) reducing the United States troop presence in Germany during a time of growing threats in Europe and beyond is a dangerous strategy that instigates the United States’ international security needs and weakens the North Atlantic Treaty Organization and the transatlantic alliance.

SA 2183. Ms. SINEMA (for herself and Mr. CRAMER) submitted an amendment intended to be proposed by her to the
bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2802. MODIFICATION TO AUTHORITY FOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS AT MILITARY INSTALLATIONS.

Section 2809(b) of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(1) in paragraph (1), by inserting “and annually thereafter,” after “this Act,”;
(2) in paragraph (2)—
(A) in subparagraph (A), by striking the report and inserting a report; and
(B) in subparagraph (B), by inserting “in which the project is included” before the period at the end.

SA 2184. Ms. SINEMA (for herself and Mr. COTTON) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 292. Pilot Program on Pre-Programming of Suicide Prevention Resources into Smart Devices Issued to Members of the Armed Forces.

(a) In General.—Commencing not later than 120 days after the date of enactment of this Act, the Secretary of Defense shall carry out a pilot program under which the Secretary—

(1) pre-downloads the Virtual Hope Box application of the Defense Health Agency, or successor application, on smart devices individually issued to members of the Armed Forces;
(2) pre-programs the National Suicide Hotline number and Veterans Crisis Line number into the contacts for such devices; and
(3) provides training, as part of training on suicide awareness and prevention conducted throughout the Department of Defense, on the preventative resources described in paragraphs (1) and (2).

(b) Duration.—The Secretary shall carry out the pilot program under this section for a two-year period.

(c) Scope.—The Secretary shall determine the appropriate scope of individuals participating in the pilot program under this section to best represent each Armed Force and to ensure sample size.

(d) Identification of Other Resources.—In carrying out the pilot program under this section, the Secretary shall coordinate with the Director of the Defense Health Agency and the Secretary of Veterans Affairs to identify other useful technology-related resources for use in the pilot program.

(e) Report.—Not later than 30 days after completing the pilot program under this section, the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(f) Veterans Crisis Line Defined.—In this section, the term “Veterans Crisis Line” means the toll-free hotline for veterans established under section 1720F(h) of title 38, United States Code.

SA 2185. Mr. HOEVEN (for himself, Mr. WHITE, Ms. PELOSI, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION

SEC. 5101. SHORT TITLE.

This division may be cited as the “Native American Housing Assistance and Self-Determination Reauthorization Act of 2020.”

SEC. 5102. CONSERVATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Reauthorization Act of 2016 (25 U.S.C. 4115) is amended by adding at the end the following:

“(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

“(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to contribute to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action with respect to the project, all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency that provided funding were the Federal agency to carry out the project as a Federal project.

“(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

“(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities as under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

“(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and
“(B) that the certifying officer consents to assume the status of a responsible Federal agency for environmental review, decision making, and action with respect to the project.

“(4) LIABILITY.—

“(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the contents of such environmental review.
“(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1) as applicable by any other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

“(i) the regulations issued pursuant to section 106; or
“(ii) such regulations as are issued by the other head.

“(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.”

SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.


SEC. 5104. STUDENT HOUSING ASSISTANCE.

Section 203(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting “including education-related stipends, college housing, and other education-related assistance for low-income college students,” after “self-sufficiency and other services.”

SEC. 5105. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 201(g)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting “owned or operated by a recipient” and after “residing in a dwelling unit”.

SEC. 5106. PROGRAM REQUIREMENTS.

Section 202(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(3)) is amended by striking “tribally” and inserting “tribally”.

SEC. 5107. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking “$5,000” and inserting “$10,000.”
SEC. 5108. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133) is amended—

(1) in subsection (a)(1)—

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

(B) by adding at the end the following:

“(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current renter-family for conversion to a homeowner or a lease-purchase unit, that the current renter-family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current renter-family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and”;

and

(2) in subsection (c), by striking “The provisions” and inserting the following:

“(1) IN GENERAL.—The provisions; and

(B) by adding at the end the following:

“(2) IN GENERAL.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements made by an owner-hosted entity. The cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.”

SEC. 5109. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133) is amended by adding at the end the following:

“(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to programs funded in part by amounts authorized under this Act.”.

SEC. 5110. INDIAN HEALTH SERVICE.

(a) In General.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

“SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

“Notwithstanding any other provision of law, the Director of the Indian Health Service, upon receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities for that project.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

“SEC. 211. IHS sanitation facilities construction.”

SEC. 5111. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking “may take an action described in paragraph (1)(C)” and inserting “may immediately take an action described in paragraph (1)(C)”;

and

(2) by striking subparagraph (B) and inserting the following:

“(B) PROCEDURAL REQUIREMENTS.—

“(i) The Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action; and

“(ii) PROCEDURAL REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.”

SEC. 5112. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking “Congress” and inserting “Secretary”;

and

(2) by adding at the end the following:

“(c)� PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.”

SEC. 5113. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking “50-year” and inserting “99-year”;

and

(2) by adding at the end the following:

“(c) IN GENERAL.—The provisions of subsection (a) shall be made publicly available, including to recipients.”

SEC. 5114. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4214) is amended by striking “such sums as may be necessary” and all that follows through the period at the end and inserting “such sums as may be necessary for each of fiscal years 2021 through 2031”.

SEC. 5115. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103) that is developed, acquired, or assisted under this Act is subject to the requirements established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 5116. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

“(1) DEFINITIONS.—In this subsection, the terms ‘Indian tribe’ and ‘tribally designated housing entity’ shall have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

“(2) QUALIFICATIONS.—In any other provision of law, an Indian tribe or a tribally designated housing entity shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a).”.

SEC. 5117. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a)(4) of the Native American Housing and Urban Development Act of 1998 (12 U.S.C. 1715z-13a(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking “and” and inserting a comma; and

(B) by inserting before the period at the end the following:

“(B) in subparagraph (B), by inserting “Indian tribes, and tribally designated housing entities”; and

(2) in subparagraph (B), by inserting “Indian tribes, and tribally designated housing entities” after “organizations”;

(3) by redesignating subparagraph (F) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

“(D) DEFINITIONS.—In this paragraph, the term ‘Indian tribe’ and ‘tribally designated housing entity’ have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).”.

SEC. 5118. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) In General.—Section 184(b)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(b)(4)) is amended by—

(1) redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(2) by striking “The loan” and inserting the following:

“(A) IN GENERAL.—The loan;”;

(3) in subparagraph (A), as so designated, by adding at the end the following:

“(B) DIRECT GUARANTEE PROCESS.—

(1) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

(2) DEEMED APPROVED.—If a mortgage is not originated, underwritten, or servicing single family mortgage loans under this section.

(3) INDEMNIFICATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the lender approved under this subparagraph to indemnify the Secretary for the loss, regardless of whether the violation caused the mortgage default.

(4) REVIEW OF MORTGAGES.—

(B) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

(i) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing under the rates of return for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;
“(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary deems necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed or insured:”.

“(iiii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

“(I) may terminate the approval of a mortgagee if the Secretary determines that the mortgage loan guarantees offered by that mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

“(aa) based on a comparison of any of the factors set forth in this subparagraph; or

“(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.

“(b) LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.—Section 186e(5) of the Housing and Community Development Act of 1992 (42 U.S.C. 1715z-13a(5)) is amended—

“(1) in paragraph (a), by inserting after the first sentence the following: ‘‘There are authorized to be appropriated the necessary funds to be obligated by the Secretary to make guarantees under this section applicable to each of fiscal years 2021 through 2031.’’; and

“(2) in paragraph (b), by striking ‘‘2008 through 2012’’ and inserting ‘‘2021 through 2031’’.

“SEC. 5119. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

“Section 186e(5) of the Housing and Community Development Act of 1992 (42 U.S.C. 1715z-13a(5)) is amended by inserting after the first sentence the following: ‘‘There are authorized to be appropriated the necessary funds to be obligated by the Secretary to make guarantees under this section applicable to each of fiscal years 2021 through 2031.’’. And

“SEC. 5120. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES IN CONTINUUM OF CARE PROGRAM.

“(a) IN GENERAL.—Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

“(1) in section 401(b) (42 U.S.C. 11360(b)), by inserting after the first sentence the following: ‘‘There are authorized to be appropriated the necessary funds to be obligated by the Secretary to make guarantees under this section applicable to each of fiscal years 2021 through 2031.’’; and

“(2) in subsection (b) of section 404 (42 U.S.C. 11361), by adding at the end the following:

“SEC. 405. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES.

“Notwithstanding any other provision of this title, for purposes of this subparagraph, an Indian tribe or tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)) may—

“(I) be a collaborative applicant or eligible entity;

“(II) receive grant amounts from another entity that receives a grant directly from the Secretary, and use the amounts in accordance with this title;

“(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 8(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) is amended by striking ‘‘8:’’ and inserting ‘‘8:’’;

“(c) in subsection (e), by designating paragraph (2) as paragraph (4); and

“(d) by striking ‘‘(e)(1)’’ and all that follows through the end of paragraph (1) and inserting ‘‘(e)(1) There is established within the Department the Office of Native American Programs (in this subsection referred to as the ‘Office’), established by an Assistant Secretary for Native American Programs (in this subsection referred to as the ‘Assistant Secretary’), and applicable to each of fiscal years 1997 through 2000 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;’’.

“(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary deems necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed or insured:”.

“(iiii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

“(I) may terminate the approval of a mortgagee if the Secretary determines that the mortgage loan guarantees offered by that mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

“(aa) based on a comparison of any of the factors set forth in this subparagraph; or

“(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.

“(b) LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.—Section 186e(5) of the Housing and Community Development Act of 1992 (42 U.S.C. 1715z-13a(5)) is amended—

“(1) in paragraph (a), by inserting after the first sentence the following: ‘‘There are authorized to be appropriated the necessary funds to be obligated by the Secretary to make guarantees under this section applicable to each of fiscal years 2021 through 2031.’’; and

“(2) in paragraph (b), by striking ‘‘2008 through 2012’’ and inserting ‘‘2021 through 2031’’.

“SEC. 5119. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

“Section 186e(5) of the Housing and Community Development Act of 1992 (42 U.S.C. 1715z-13a(5)) is amended by inserting after the item relating to fiscal years 1997 through 2000 the following:

“SEC. 404. ADDITIONAL AUTHORIZATIONS AND REQUIREMENTS.

“(a) IN GENERAL.—This section shall include in the annual report under section 8 a description of the extent of the housing needs for Indian families and community development needs of Indian tribes and the activities of the Department, and extent of such activities, in meeting such needs.’’; and

“(2) in section 8 (42 U.S.C. 5538), by striking ‘‘section 4(e)(2)’’ and inserting ‘‘section 4(e)(3)’’.

“SEC. 5122. DRUG ELIMINATION PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

“(2) DRUG-RELATED CRIME.—The term ‘drug-related crime’ means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use drug-related crime in projects assisted under this section.

“(3) RECIPIENT.—The term ‘recipient’—

“(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101); and

“(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Housing and Urban Development.

“(b) INVESTIGATION.—The Secretary may provide to the Department of Health and Human Services all data necessary to evaluate the extent of drug-related crime in projects assisted under this section.

“(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

“(1) the employment of security personnel;

“(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

“(3) physical improvements which are specifically designed to enhance security;

“(4) the employment of 1 or more individuals—

“(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

“(d) REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute...
funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section among public housing agencies, including provisions used to provide for renewals of on-going programs funded under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h). (2)

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall cause to be published in the Federal Register not less frequently than annually a notice that awards are made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of this section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this subsection shall not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services prescribed by the Secretary.

(B) EXCEPTIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

(iii) MODEL.—

(1) IN GENERAL.—Except as provided in subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the Secretary is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, which may include the use of on-site monitoring, independent public audit requirements, certification by tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services consistent with the requirements of paragraph (2), entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section, and any applicable enforcement authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

(I) need;

(II) administrative capacity; and

(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

(vi) ADMINISTRATION.—Grants awarded under this section shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

(vii) CONSULTATION.—

(a) Grant Recipients; Tribal Organizations.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance through Indian self-governance and other alternative delivery mechanisms available under the Program.

SEC. 5132. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 802 of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:—

‘‘(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

‘‘(1) Definitions.—In this subparagraph:

‘‘(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

(aa) homeless or at risk of homelessness; and

(bb) living—

(1) on or near a reservation; or

(2) in or near any other Indian area.


‘‘(II) Indian Health Service.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out this division.

‘‘(VIII) Waiver.—

(I) IN GENERAL.—Except as provided in subsection (F), the Secretary may waive or specify alternative requirements prescribed by the Secretary, including regulations that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subsection (I) for any provision of law (including regulations) relating to labor standards or the environment.

‘‘(X) Renewal Grants.—The Secretary may—

(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii) of paragraph (j), any amounts that the Secretary determines to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

(ii) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subsection (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

(g) FEDERAL REGISTER NOTIFICATION.—The Secretary shall publish in the Federal Register not less frequently than annually a notice that awards are made pursuant to paragraph (j), and every 3 years thereafter, a notice that awards are made pursuant to paragraph (j).
grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 410 et seq.) are spent in accordance with that Act.

SA 2186. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28. REPORT ON BILLING PRACTICES FOR CONTRACTORS UNDER TRICARE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Through the TRICARE program, the Department of Defense provides health care benefits and services to approximately 9,500,000 beneficiaries.

(2) The Department of Defense is not structured as a typical health care provider, which can lead to complicated billing practices and strict deadlines for members of the Armed Forces, former members of the Armed Forces, and their dependents, as well as for providers.

(3) Numerous findings issued by the Inspector General of the Department of Defense between 2014 and 2019 describe the third-party collection program of the Department as inadequately managed, resulting in substantial unpaid debts that could be used to improve the quality of health care at military medical treatment facilities.

(4) Numerous press reports have found that the Federal Government aggressively collects unpaid debts from uninsured or low-income civilian patients who happen to receive treatment at a military medical treatment facility, even though providing that treatment often benefits military readiness by providing experience to military medical providers.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national interest of the United States to ensure members of the Armed Forces, former members of the Armed Forces, and their dependents receive high-quality health care, and that Federal agencies prioritize fairness and accessibility when administering health care.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the billing practices of the Department of Defense for care received under the TRICARE program or at military medical treatment facilities.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the extent to which data is being collected and maintained on whether beneficiaries under the TRICARE program have other forms of health insurance.

(B) A description of the extent to which the Secretary of Defense has implemented the recommendations of the Inspector General of the Department of Defense to improve collections of third-party payments for care at military medical treatment facilities and a description of the impact such implementation has had on such beneficiaries.

(C) A description of the extent to which the process used by managed care support contractors under the TRICARE program to adjudicate third-party liability claims is efficient and effective, including with respect to communication with such beneficiaries.

(3) REPORT ON BILLING PRACTICES FOR CONTRACTORS UNDER TRICARE PROGRAM DEFINED.—In this section, the term ‘‘TRICARE program’’ has the meaning given that term in section 1072 of title 10, United States Code.

SA 2187. Ms. CORTEZ MASTO (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 29. ESTABLISHMENT OF INTERAGENCY COMMITTEES ON JOINT USE OF CERTAIN LAND WITHDRAWN FROM APPROPRIATION UNDER PUBLIC LAND LAWS.

(a) INTERAGENCY EXECUTIVE COMMITTEE ON JOINT USE OF THE MILITARY NAVY AND AIR FORCE MILITARY LANDS WITHDRAWN FROM APPROPRIATION UNDER PUBLIC LAND LAWS.—

(1) UNITED STATES FISH AND WILDLIFE SERVICE AND DEPARTMENT OF THE INTERIOR OF NEVADA TEST AND TRAINING RANGE AND DESERT NATIONAL WILDLIFE REFUGE COMMITTEE.—

(i) A description of the officials and other individuals invited to participate as members of the executive committee; and

(ii) A description of the extent to which the member represents has been significantly affected.

(2) MEMBERSHIP.—The executive committee shall include—

(I) 1 representative of the Nevada Department of Wildlife;

(II) 1 representative of the Secretary of the Navy and the Secretary of the Air Force; and

(III) subject to subparagraphs (D) and (E), a procedure for—

(I) selecting a forum to carry out the purpose described in subparagraph (A); and

(II) scheduling regular meetings of the executive committee.

(3) LIAISONS.—The Secretary of the Navy and the Secretary of the Interior shall select—

(I) 1 representative of the Nevada Department of Wildlife; and

(II) 1 representative of each Indian tribe in the vicinity of the land described in paragraph (2);

and may reappoint or replace, as appropriate, a member of the executive committee if—

(I) the term of the member has expired; or

(II) the member has resigned; or

(III) the position held by the member has changed in the extent to which the member represents has been significantly affected.

(4) CONDITIONS AND TERMS.—

(I) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

(II) TERM OF APPOINTMENT.—

(A) 1 representative of the Nevada Department of Wildlife; and

(B) 1 representative of each Indian tribe in the vicinity of the land described in paragraph (2).

(5) REPORT.—At the end of subtitle D of title XXX, add the following new paragraph:

(ii) LOCATION.—The location of the meetings of the executive committee shall—

(I) be open to the public; and

(II) serve as a forum for the public to provide comments regarding the natural and cultural resources of the land described in paragraph (2).

(b) MEMORANDUM OF UNDERSTANDING.—

The memorandum of understanding entered into under subparagraph (A) shall include—

(1) a description of the officials and other individuals invited to participate as members of the executive committee under subparagraph (C);

(2) a description of the duties of the Chairperson and Vice Chairperson of the executive committee; and

(3) subject to subparagraphs (D) and (E), a procedure for—

(I) selecting a forum to carry out the purpose described in subparagraph (A); and

(II) rotating the Chairperson of the executive committee; and

(III) scheduling regular meetings of the executive committee.

(c) ESTABLISHMENT.—The Secretary of the Navy and the Secretary of the Interior shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this paragraph as the ‘‘executive committee’’), for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land described in paragraph (2).

(d) MEMBERSHIP.—

(1) IN GENERAL.—Except as provided in subsection (II), each member of the executive committee shall include only the following members:

(I) Representatives from the United States Fish and Wildlife Service.

(II) Representatives from the Department of the Air Force.

(Ill) The Project Leader of the Desert National Wildlife Refuge.

(IV) The Commander of the Nevada Test and Training Range, Nellis Air Force Base.

(2) LIAISONS.—The Secretary of the Navy and the Secretary of the Interior may reappoint or replace, as appropriate, a member of the executive committee if—

(I) the term of the member has expired; or

(II) the member has resigned; or

(III) the position held by the member has changed in the extent to which the member represents has been significantly affected.

(3) CONDITIONS AND TERMS.—

(I) IN GENERAL.—The Secretary of the Interior and the Secretary of the Navy shall jointly establish an interagency committee (referred to in this paragraph as the ‘‘interagency committee’’) to facilitate coordination, manage public access needs and requirements, and minimize potential conflict between the Department of the Interior and the Department of the Air Force with respect to joint operating areas within the Desert National Wildlife Refuge.

(II) MEMBERS.—The interagency committee shall include only the following members:

(I) Representatives from the United States Fish and Wildlife Service.

(II) Representatives from the Department of the Air Force.

(III) The Project Leader of the Desert National Wildlife Refuge.

(IV) The Commander of the Nevada Test and Training Range, Nellis Air Force Base.
“(ii) PURPOSE.—The executive committee shall be established for the purposes of—

(1) exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this section; and

(2) making recommendations to the interagency committee established under subparagraph (G) with respect to public access and related management actions.

(iii) COMPOSITION.—The executive committee shall comprise the following members:

(1) FEDERAL AGENCIES.—The Secretary of the Interior and the Secretary of the Air Force shall jointly appoint 1 representative from each of the following Federal agencies:

(II) STATE GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly appoint 1 representative from each of the following State governments:

(III) LOCAL GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly appoint 1 county commissioner of each of the following counties:

(VI) TRIBAL GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly appoint 1 representative from each of the following Tribes:

(VII) INDIVIDUALS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly appoint 1 individual to serve for a term of 4 years.

(iv) OPERATION.—The executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under clause (i), which shall provide for—

(A) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of the Air Force jointly shall establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this subparagraph as the ‘executive committee’), in accordance with this subparagraph.

(B) DUTIES.—The duties of each of the executive committee shall be included in the memorandum of understanding under clause (i).

(C) MEETINGS.—Meetings of the executive committee shall be held not less frequently than 3 times each calendar year.

(D) EXECUTIVE COMMITTEE; AND

(E) PUBLIC ACCESSIBILITY.—Meetings of the executive committee shall—

(1) be open to the public; and

(2) provide for public comment regarding the management of, and public access to, the Nevada Test and Training Range and the Desert National Wildlife Refuge.

(viii) CONDITIONS AND TERMS OF APPOINTMENT.—

(1) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

(2) INITIAL TERMS; AND

(3) FAILURES TO APPOINT.—The Secretary of the Air Force may reappoint or reappointee to serve for a term of 2 years without compensation.

(vii) MEETINGS.—

(1) IN GENERAL.—The members of the executive committee shall carry out the management responsibilities of the joint use area of the Desert National Wildlife Refuge where the Secretary of the Interior exercises primary jurisdiction.

(2) IN GENERAL.—The Secretary of the Interior and the Secretary of the Air Force shall jointly establish, by memorandum of understanding under clause (i), which shall provide for—

(A) IN GENERAL.—The members of the executive committee shall elect from among the members—

(aa) 1 member to serve as the Chairperson of the executive committee; and

(bb) 1 member to serve as the Vice Chairperson of the executive committee.

(B) TERM OF OFFICE.—The terms of the members of the executive committee shall be for a term of 4 years.

(C) PUBLIC COMMENT.—Meetings of the executive committee shall be open to the public for the purpose of receiving comment regarding the management of, and public access to, the Nevada Test and Training Range and the Desert National Wildlife Refuge.

(D) CHAIRPERSON AND VICE CHAIRPERSON.—
Mr. COTTON (for himself, Mr. SCHUMER, Mr. REED, Mr. RISCH, Ms. COLLINS, Mr. KING, Mr. HAWLEY, Mr. JONES, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal
year, and for other purposes; which was ordered to lie on the table; as follows: At the appropriate place in title X, insert the following:

SEC. 242. GRANTS FOR CONSTRUCTION OF MICROELECTRONICS MANUFACTURING AND RESEARCH AND DEVELOPMENT FACILITIES, AND COMMERCIAL MANUFACTURING FACILITIES.

(a) GRANTS FOR STATES WITH DEMONSTRATED INTEREST IN CONSTRUCTING MICROELECTRONICS MANUFACTURING AND ADVANCED RESEARCH AND DEVELOPMENT FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense, shall commence carrying out a program on the award of grants to States described in paragraph (2) to assist in financing the construction, expansion, or modernization (including acquisition of equipment and intellectual property) of microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facilities.

(2) STATES DESCRIBED.—A State described in this paragraph is a State that demonstrates to the Secretary of Commerce the following:

(A) Documented interest from a microelectronics entity in constructing, expanding, or modernizing a commercial microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facility that is the subject of the interest documented under subparagraph (A).

(B) Documented interest from a private consortium that has a demonstrated ability to build and operate microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facilities.

(C) Commitments from such microelectronics company or consortia to worker and community investment, including—

(i) training and education benefits paid for by the company; and

(ii) programs to expand employment opportunity for economically disadvantaged individuals.

(D) Commitments from regional educational and training entities and institutions of higher education to develop curricula or engage in workforce training, including programming for training and job placement of economically disadvantaged individuals.

(E) Guaranteed State-level economic incentives for the construction, expansion, or modernization of the facility described in subparagraph (B), such as site development, tax incentives, job-training programs and State-level funding for microelectronics research and development.

(3) LIMITATION ON GRANT AMOUNT.—A State may not be awarded more than $3,000,000,000 under paragraph (1).

(4) USE OF FUNDS.—(A) IN GENERAL.—A State receiving a grant under paragraph (1) may only use the amount of the grant to finance—

(i) the construction, expansion, or modernization of a state-of-the-art microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facility, with respect to which the State demonstrated to the Secretary documented interest under paragraph (2), or for similar uses in state of practice and legacy facilities, in accordance with such terms as the Secretary may require, for the purposes of the Secretary for national security and economic competitiveness;

(ii) to support workforce development for such facility; or

(iii) to support site development for such facility.

(B) RETURN OF FUNDS.—A State awarded a grant under paragraph (1) shall return any unused funds to the Treasury of the United States on an agreed-upon timeframe determined by the Secretary prior to issuing the funds.

(C) RECOVERY OF CERTAIN FUNDS.—If a microelectronics entity receiving grant funds under this section fails to increase levels of joint research and development, technology licensing or transfer, or investments involving sensitive technologies with entities under the foreign ownership, control, or influence (FOCI) of the Government of the People’s Republic of China or other foreign adversary during the period of the grant, such entity is prohibited from participating in the program specified in this subsection under foreign ownership, control, or influence, the Secretary shall recover the amounts provided by the Secretary under this subsection.

(5) TECHNICAL ASSISTANCE.—(A) IN GENERAL.—The Secretary shall provide the States with technical assistance to carry out this subsection.

(B) STATEMENTS OF PURPOSE.—The Secretary shall make available to the States a statement of purpose each year for the purposes of the Secretary for national security and economic competitiveness.

(6) NONRELOCATION BETWEEN STATES.—(A) PROHIBITION.—A State may not use any amount of a grant awarded under this subsection to induce the relocation or the move of a microelectronics entity that is under the foreign ownership, control, or influence specified in paragraph (4)(C), the Secretary determines that a microelectronics entity is under the foreign ownership, control, or influence of the Government of the People’s Republic of China or other foreign adversary during the period of the grant, such entity is prohibited from participating in the program specified in this subsection.

(B) NONRELOCATION BETWEEN STATES.—(A) PROHIBITION.—A State may not use any amount of a grant awarded under this subsection to induce the relocation or the move of a microelectronics entity that is under the foreign ownership, control, or influence specified in paragraph (4)(C), the Secretary determines that a microelectronics entity is under the foreign ownership, control, or influence of the Government of the People’s Republic of China or other foreign adversary during the period of the grant, such entity is prohibited from participating in the program specified in this subsection.

(7) IMPLEMENTATION.—The Secretary shall carry out this subsection through the Director of the National Institute of Standards and Technology.

(8) REPORTS AND NOTICES.—(A) SECURE MANUFACTURING.—(i) SECURE MANUFACTURING RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary shall submit to the Congress a report on the plans of the Secretary to carry out the program required by paragraph (1).

(ii) JUSTIFICATION.—Each notice submitted under clause (i) shall include a description of the program to which the notice pertains, the project or projects for which the amount of the grant is intended to be used, specifications on the planned use of the amounts of the grant for that program, and the rationale of the Secretary for the grant awarded.

(B) COMPTROLLER GENERAL OF THE UNITED STATES.—(i) BIENNIAL REPORT.—Not later than 1 year after the Secretary of Commerce submits the report under subparagraph (A)(i) and not less frequently than every 2 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the activities carried out under this subsection during the previous year.

(ii) CONTENTS.—Each report submitted under clause (i) shall include, at a minimum, the following:

(A) The program being carried out and how and why recipients of grants are being selected under the program.

(B) How other Federal programs are leveraged for manufacturing, research and development, workforce training, employment, wages, and hiring of economically disadvantaged populations.

(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $15,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(b) CREATION, EXPANSION, OR MODERNIZATION OF MICROELECTRONICS MANUFACTURING FACILITIES AND CAPABILITIES FOR NATIONAL SECURITY NEEDS—

(1) INCENTIVES AUTHORIZED.—(A) IN GENERAL.—The Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of Commerce, may jointly enter into arrangements with private sector entities or consortia thereof to provide incentives for the creation, expansion, or modernization of state-of-the-art microelectronics manufacturing or advanced research and development facilities, or for the purchase, upgrade, or modernization of equipment, or for any other actions that increase levels of joint research and development, technology licensing or transfer, or investments involving sensitive technologies with entities under foreign ownership, control, or influence (FOCI) of the Government of the People’s Republic of China or other foreign adversary.

(iii) in consultation with the Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of Commerce, may jointly enter into arrangements with private sector entities or consortia thereof to provide incentives for the creation, expansion, or modernization of state-of-the-art microelectronics manufacturing or advanced research and development facilities, or for the purchase, upgrade, or modernization of equipment, or for any other actions that increase levels of joint research and development, technology licensing or transfer, or investments involving sensitive technologies with entities under foreign ownership, control, or influence (FOCI) of the Government of the People’s Republic of China or other foreign adversary.

(2) COMMERCIAL MANUFACTURING.—A facility constructed, expanded, or modernized with an incentive provided under paragraph (1) may—

(A) be principally oriented toward commercial manufacturing;

(B) create surplus manufacturing capacity to the production of commercial microelectronics;

(C) be principally oriented toward commercial manufacturing;

(D) be principally oriented toward commercial manufacturing; or

(E) guarantee the provision of incentives under paragraph (4) to eligible entities that will construct, expand, or modernize facilities as deemed necessary by the Secretary, including—

(i) training and education benefits paid for by the company; and

(ii) programs to expand employment opportunity for economically disadvantaged individuals.

(3) RISK MITIGATION REQUIREMENTS.—(A) IN GENERAL.—In the event that the Secretary determines that a microelectronics entity is under the foreign ownership, control, or influence specified in paragraph (4)(C), the Secretary shall submit a report to the Congress on the details of the risk mitigation measures and agreements entered into with respect to the funding, including—

(i) the funding amount to be provided;

(ii) the conditions under which the funding is to be provided;

(iii) the terms of any security agreements entered into with respect to the funding;

(iv) the terms of any financial agreements entered into with respect to the funding;

(v) the terms of any other agreements entered into with respect to the funding;

(vi) the terms of any other agreements entered into with respect to the funding;

(vii) the terms of any other agreements entered into with respect to the funding;

(viii) the terms of any other agreements entered into with respect to the funding;

(ix) the terms of any other agreements entered into with respect to the funding;

(x) the terms of any other agreements entered into with respect to the funding; and

(xi) the terms of any other agreements entered into with respect to the funding.

(4) NATIONAL SECURITY REQUIREMENTS.—In the provision of incentives under paragraph (1), the Secretary of Commerce and the Director of National Intelligence shall jointly give preference to private sector entities and consortia that—

(A) have participated in previous programs and activities of the Secretary or the Office of the Director of National Intelligence, including—

(B) are not in violation of the provisions of section 224 of the National Defense Authorization Act for Fiscal Year 2021, as amended.

(5) SECURITY NEEDS.—(A) REQUIREMENTS.—Each grant awarded in accordance with this section shall—

(i) include agreements that the grantee is committed to—

(ii) ensure that the grantee agrees to—

(iii) agree to—

(iv) agree to—

(v) agree to—

(vi) agree to—

(vii) agree to—

(viii) agree to—

(ix) agree to—

(x) agree to—

(xi) agree to—

(xii) agree to—

(xiii) agree to—

(xiv) agree to—

(xv) agree to—

(xvi) agree to—

(xvii) agree to—

(xviii) agree to—

(xix) agree to—

(xx) agree to—

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $15,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.
(i) the Trusted Integrated Circuit program of the Intelligence Advanced Research Projects Activity; 
(ii) trusted and assured microelectronics prototypes administered by the Department of Defense; or 
(iii) the Electronics Resurgence Initiative (ERI) program of the Defense Advanced Research Projects Agency; 
(B) have demonstrated an ongoing commitment to performing contracts for the Department of Defense and the intelligence community.
(C) are approved by the Defense Counterintelligence and Security Agency or the Office of the National Intelligence as presenting an acceptable security risk, taking into account supply chain assurance vulnerabilities, counterintelligence risks, and approved by companies whose owners are located outside the United States; and 
(D) are evaluated periodically for foreign ownership, control, or influence, consistent with the determinations in paragraphs (4)(C) and (5) of subsection (a).

(5) Use of Incentives.—Incentives may be provided in accordance with paragraph (1) for the construction, expansion, or modernization of a facility that was constructed, expanded, or modernized with funds from a grant awarded under subsection (a).

(6) Nontraditional Defense Contractors and Commercial Entities.—The arrangement with the determinations in paragraph (4)(C) shall be in the form the Secretary of Defense and the Director of National Intelligence determine to be appropriate to encourage industry participation of nontraditional defense contractors or commercial entities and may include a contract, a grant, a cooperative agreement, a commercial agreement, the use of other authority under section 2371 of title 10, United States Code, or another such arrangement.

(7) Reports.—
(A) Report by Secretary of Defense and Director of National Intelligence.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly submit to Congress a report on the plans of the Secretary and the Director to provide incentives under paragraph (1).
(B) Reports by Comptroller General of the United States.—Not later than 1 year after the date on which the Secretary submits the report required by subparagraph (A) or less frequently than once every 2 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the activities carried out under this subsection.

(8) Authorization of Appropriations.—There is authorized to be appropriated to carry out this subsection $5,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(9) Additional Amounts for Ensuring the Future of United States Leadership in Microelectronics.—
(A) Authorization of Appropriations.—There is authorized to be appropriated $2,000,000,000 for fiscal year 2021, with such amount to remain available until September 30, 2031, to expand the Electronics Resurgence Initiative of the Defense Advanced Research Projects Agency to develop advanced disruptive microelectronics technology, including research and development to enable production of products required to sustain robust domestic microelectronics industry and mitigate parts obsolescence.

(B) Authorization of Appropriations.—There is authorized to be appropriated 

SEC. 2371. MODIFICATION OF PROHIBITION ON ACQUISITION OF CERTAIN SEMICONDUCTORS AND OTHER MATERIALS.
(a) Extension of Prohibition on Mined, Refined, and Separated Materials.—Subsection (a)(1) of section 2353c of title 10, United States Code, shall be struck out and substituted for "melted or produced" and inserting "mined, refined, separated, melted, or produced."
(b) Commercially Available Off-the-Shelf Item Exception.—Subsection (c)(3)(A)(i) of such section is amended by striking “50 percent or more tungsten” and inserting “50 percent or more covered material”.

SA 2192. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IX, insert the following:

SEC. 1002. OFFICE OF NET ASSESSMENT.

(a) LIMITATION ON FUNDS AVAILABLE.—The amount available for programs, projects, and activities of the Office of Net Assessment (ONA) in any fiscal year after fiscal year 2020 may not exceed $10,000,000.

(b) LIMITATION ON RESEARCH CONTRACTS.—Any contract for research entered into by the Office of Net Assessment after the date of the enactment of this Act may only be for research for purposes of the development and coordination of net assessments as described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 613 note).

(c) STRATEGY ON ELIMINATION OF WASTE BY ONA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a comprehensive strategy required by subsection (c).

(d) The results of an analysis, conducted for purposes of the report, of the actual cost of performance of annual net assessments by the Office of Net Assessment.

(3) Such recommendations as the Comptroller General considers appropriate to improve the oversight of the Office of Net Assessment by the Department of Defense, and to ensure compliance by the Office with applicable law and regulations on contracting.

SA 2193. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title VIII, add the following:

SEC. 894. CLARIFICATION OF PROHIBITION ON CONTRACTING WITH ENTITIES THAT USE RISK MANAGEMENT FRAMEWORK


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

(3) DEFINITION.—For purposes of this subsection:

(A) the term ‘contract’ means a contract of performance of a service or the furnishing of a product.

(B) the term ‘system’ means a system used in fulfillment of the contract.

(C) the term ‘use’ means that is in fulfillment of the contract.

(2) in section 3005(b)(1)(C) (sec. 38153.05(b)(1)(C) D.C. Official Code), by inserting “and may renew such grants for an additional period of not more than 5 years, without a competitive process, when appropriate and desirable to maintain continuity in the program” after “5 years’’;

(3) in section 3005(b)(2)(C) (sec. 38153.05(b)(2)(C) D.C. Official Code), by inserting “and may renew such grants for an additional period of not more than 5 years, without a competitive process, when appropriate and desirable to maintain continuity in the program” after “5 years’’; and

(4) in section 3005(b)(3)(C) (sec. 38153.05(b)(3)(C) D.C. Official Code), by inserting “and may renew such grants for an additional period of not more than 5 years, without a competitive process, when appropriate and desirable to maintain continuity in the program” after “5 years’’;

(5) such recommendations as the Inspector General considers appropriate to address failures or deficiencies in the performance of annual net assessments by the Office of Net Assessment.

(e) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Secretary of Defense and the congressional committees a report setting forth the following:

(1) The results of a comprehensive audit, conducted for purposes of the report, of the effectiveness of the comprehensive strategy required by subsection (c).

(2) The results of an analysis, conducted for purposes of the report, of the actual cost of performance of annual net assessments by the Office of Net Assessment.

(3) such recommendations as the Comptroller General considers appropriate to improve the oversight of the Office of Net Assessment by the Department of Defense, and to ensure compliance by the Office with applicable law and regulations on contracting.
(D) in subsection (c), as redesignated by subparagraph (B); and
(ii) in paragraph (3), by striking “subsections (b) and (c)” and inserting “subsection (b)”;
(iii) by striking subparagraph (B), and
(iv) by redesigning subparagraph (C) as subparagraph (B); and
(B) by striking paragraph (2) and inserting the following:
“**ADMINISTRATION OF TESTS.**—The Institute of Education Sciences may administer assessments to students participating in the evaluation under section 3009(a) for the purpose of conducting the evaluation under such section;”;
(C) in paragraph (3), by striking “the nationally norm-referenced standardized test described in paragraph (2)” and inserting “a nationally norm-referenced standardized test;”;
(D) in section 3009(a) (sec. 38-1855.08(h) D.C. Official Code)—
(A) in paragraph (1), by striking “section 3009(a)(2)(A)(i)” and inserting “section 3009(a)(2)(A)(i)”;
(B) by striking paragraph (2) and inserting the following:
“(2) ADMINISTRATION OF TESTS.—The Institute of Education Sciences may administer assessments to students participating in the evaluation under section 3009(a) for the purpose of conducting the evaluation under such section.”;
(i) in subparagraph (A), by striking clause (i) and inserting the following:

“(i) is rigorous; and”;
(ii) in subparagraph (B), by striking “impact of the program” and all that follows through the end of the subparagraph and inserting “impact of the program on academic progress and educational attainment.”;
(C) in paragraph (3)—
(i) in the paragraph heading, by striking “ON EDUCATION” and inserting “OF EDUCATION”;
(ii) in subparagraph (A)—
(I) by inserting “the academic progress of” after “assess”; and
(ii) by striking “in each of grades 3” and all that follows through the end of the subparagraph and inserting “impact of the program on academic progress and educational attainment.”;
(iii) by inserting “, in each of grades 3” and all that follows through the end of the subparagraph and inserting “impact of the program on academic progress and educational attainment.”;
(D) in paragraph (4)—
(i) in subparagraph (A)—
(I) by striking comparison of the academic achievement of participating eligible students who use an opportunity scholarship on the academic achievement described in subparagraph (3)(B) to the academic achievement” and inserting “The academic progress of participating eligible students who use an opportunity scholarship compared to the academic progress”; and
(ii) by inserting “, which may include students” after “students with similar background”;
(ii) in subparagraph (B), by striking “increasing the satisfaction of such parents and students with their choice” and inserting “those parents’ and students’ satisfaction with the program”; and
(iii) by striking subparagraph (D) through (F) and inserting the following:
“(D) The high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students who use an opportunity scholarship compared with the rates of public school students described in subparagraph (A), to the extent practicable.
(E) The college enrollment rates, college persistence rates, and college graduation rates of students who participated in the program as the result of winning the Opportunity Scholarship Program lottery compared with the enrollment, persistence, and graduation rates for students who entered but did not win such lottery and who, as a result, served as the control group for previous evaluations of the program under this division. Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student.
(F) The safety of the schools attended by participating eligible students who use an opportunity scholarship compared to the academic achievement”;
(iii) by striking paragraph (4), by striking “achievement” and inserting “progress”; and
(iv) in section 3010 (sec. 38-1855.10 D.C. Official Code)—
(A) in subsection (b)(1)—
(i) by striking subparagraph (A); and
(ii) by redesigning subparagraphs (B) and (C) as subparagraphs (B) and (B), respectively; and
(B) in subsection (c)(1)—
(i) in subparagraph (A), by striking “, and”;
(ii) by inserting “, and” after “students’ peers at the student’s school in the same grade or level, as appropriate”; and
(iii) in subparagraph (B), by inserting “, as appropriate” after “expulsions”.

SA 2195. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriation of $250,000,000 for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered printed.

At the appropriate place, insert the following:

**SEC. 3. SUBPOENA AUTHORITY.**

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking “and” at the end;

(B) by redesigning paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

“(6) the term ‘security vulnerability’ has the meaning given that term in section 102(17) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501(17)); and”;

(2) in subsection (c)—

(A) in paragraph (10), by striking “and” at the end;

(B) in paragraph (11), by striking the period at the end and inserting “;” and

(C) by adding at the end the following:

“(12) detecting, identifying, and receiving information about security vulnerabilities that relate to critical infrastructure in the information systems and devices for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501(17)); and”;

(3) by adding at the end the following:

“(q) SUBPOENA AUTHORITY.—

(1) DEFINITION.—In this subsection, the term ‘covered device or system’—

(A) means a device or system commonly used to perform industrial, commercial, scientific, or governmental functions or processes that relate to critical infrastructure, including operational and industrial control systems, distributed control systems, and programmable logic controllers; and

(B) does not include devices and systems, such as consumer mobile devices, home computers, residential wireless routers, or residential internet enabled consumer devices.

(2) AUTHORITY.—

(A) IN GENERAL.—If the Director identifies a covered device or system connected to a critical infrastructure system with a specific security vulnerability and has reason to believe that the device or system is vulnerable or poses a threat to the security of critical infrastructure systems, the Director shall—

(i) notify the owner or operator of the device or system that the device or system is connected to a critical infrastructure system with a specific security vulnerability;

(ii) require the owner or operator of the covered device or system to take measures to reduce the risk to the device or system of becoming connected to a critical infrastructure system.

(B) INVALID IF NOT AUTHENTICATED.—Any subpoena issued under the authority under subparagraph (A) may seek information—

(1) only in the categories set forth in subparagraphs (A), (B), (D), and (E) of section 2703(c)(2) of title 18, United States Code; and

(2) for not more than 20 covered devices or systems.

(C) LIABILITY PROTECTIONS FOR DISCLOSING PROVIDERS.—The provisions of section 2703(e) of title 18, United States Code, shall apply to any subpoena issued under the authority under subparagraph (A).

(D) COORDINATION.—

(A) IN GENERAL.—If the Director decides to exercise the subpoena authority under this section, and in the interests of avoiding interference with ongoing law enforcement investigations, the Director shall coordinate the issuance of any such subpoena with the Department of Justice, including the Federal Bureau of Investigation, pursuant to inter-agency procedures which the Director, in coordination with the Attorney General, shall develop not later than 60 days after the date of enactment of this subsection.

(B) CONTENTS.—The inter-agency procedures developed under this paragraph shall provide that a subpoena issued by the Director under this subsection shall be—

(i) issued in order to carry out a function described in subsection (c)(12); and

(ii) subject to the limitations under this subsection.

(4) NONCOMPLIANCE.—If any person, partnership, corporation, association, or entity fails to comply with any duly served subpoena issued under this subsection, the Director may request that the Attorney General, in coordination with the Attorney General, in coordination with the Attorney General, in coordination with the United States District Court for the District of Columbia, or any other appropriate Federal District Court, file a suit for a permanent injunction in the United States District Court for the District of Columbia, or any other appropriate Federal District Court, file a suit for a permanent injunction in any judicial district in which such person, partnership, corporation, association, or entity resides, is found, or transacts business.

NOTICE.—Not later than the date on which the Director receives information obtained through a subpoena issued under this subsection, the Director shall notify any entity identified by information obtained under the subpoena regarding the subpoena and the identified vulnerability.

(5) AUTHENTICATION.—

(A) IN GENERAL.—Any subpoena issued by the Director under this subsection shall be authenticated by a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor technology, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

(B) INVALID IF NOT AUTHENTICATED.—Any subpoena issued by the Director under this subsection shall be authenticated by a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor technology, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

(6) PROCEDURES.—Not later than 90 days after the date of enactment of this subsection, the Director shall establish internal
procedures and associated training, applicable to employees and operations of the Agency, regarding subpoenas issued under this subsection, which shall address—

(A) the prohibition of dissemination of nonpublic information obtained through a subpoena issued under this subsection, including a requirement that the Agency shall not disseminate nonpublic information obtained through a subpoena issued under this subsection that identifies the party that is subject to the subpoena or the entity identified by information obtained, except that the Agency may share the nonpublic information of the entity at risk with another the Department of Justice for the purpose of enforcing the subpoena in accordance with paragraph (4) or with a Federal agency if—

(i) the Agency identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a law enforcement or national security action as a result of a notice of vulnerability to the entity at risk under this subsection; and

(B) the restriction on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501); and

(C) the criteria for the critical infrastructure security risk assessment conducted prior to issuing a subpoena;

(D) policies and procedures on retention and sharing of data obtained by subpoena;

(E) guidelines on how entities contacted by the Director may respond to notice of a subpoena; and

(F) the procedures and policies of the Agency developed under paragraph (7).

(11) PUBLICATION OF INFORMATION.—Not later than 180 days after the date of enactment of this Act, the Director shall publish a version of the Critical Infrastructure Security Vulnerability Information Sharing Act of 2015 (6 U.S.C. 1501) on the website of the Agency, which shall, at a minimum, include the findings described in subsections (ii) and (iii) of paragraph (10) and, thereafter, the Administrator shall submit a report to Congress on all changes that have been made to any part of the National Response Framework, including any change to an Emergency Support Function Annex, including the Homeland Security Annex, or Incident Annex during the 5-year period ending on the date of enactment of this subsection.

(12) QUARTERLY REPORTS.—On January 1, 2021, and on the first day of each quarter thereafter, the Administrator shall submit a report to the appropriate congressional committees detailing all changes made to any part of the National Response Framework, including any change to an Emergency Support Function Annex, Support Annex, or Incident Annex during the 3-month period preceding the report.
(1) 3GPP.—The term “3GPP” means the Third Generation Partnership Project.

(2) 5G NETWORK.—The term “5G network” means a radio network as described by 3GPP Release 15 of the Open Radio Access Network (O-RAN).

(3) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(4) NTIA ADMINISTRATOR.—The term “NTIA Administrator” means the Assistant Secretary of Commerce for Communications and Information.


(6) RELEVANT COMMITTEES OF CONGRESS.—The term “relevant committees of Congress” means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

SEC. 1092. COMMUNICATIONS TECHNOLOGY SECURITY FUNDS.

(a) USE OF SPECTRUM AUCTION PROCEEDS.—Notwithstanding section 309(j)(8)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(A)) or any other provision of law, with respect to any proceeds from the use of a competitive bidding system by the Commission to grant a license, permit, or other right, the Administrator shall award the spectrum during the 5-year period beginning on the date of enactment of this Act that would otherwise be deposited in the Treasury, the Commission shall award—

(1) 5 percent of the proceeds or $750,000,000, whichever is greater, in the Public Wireless Supply Chain Innovation Fund established under subsection (b) of this section; and

(2) $500,000,000 in the Multilateral Telecommunications Security Fund established under subsection (c) of this section.

(b) PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the “Public Wireless Supply Chain Innovation Fund” (referred to in this subsection as the “R&D Fund”).

(B) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the R&D Fund shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act.

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the R&D Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(C) BORROWING AUTHORITY.—

(i) IN GENERAL.—The NTIA Administrator may borrow from the Treasury of the United States an amount not to exceed $750,000,000 to use for grants under this subsection.

(ii) DEPOSIT OF FUNDS.—Any amounts borrowed under subparagraph (A) shall be deposited in the R&D Fund.

(iii) USE OF FUND.—

(A) GRANTS.—

(i) IN GENERAL.—Except as provided in subparagraphe (A), any amounts deposited in the R&D Fund shall be available for awards under this subsection.

(ii) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this subsection shall not exceed $100,000,000.

(B) REIMBURSEMENT OF TREASURY.—As proceeds are deposited in the R&D Fund under subsection (a)(ii), the Commission shall first use the proceeds to reimburse the general fund of the Treasury for any amounts borrowed under paragraph (2)(A) of this subsection.

(C) ADMINISTRATION OF FUND.—The NTIA Administrator, in consultation with the Commission, the Director of the National Institute of Standards and Technology, the Secretary of Defense, Security, the Director of the Defense Advanced Research Projects Agency (commonly known as “DARPA”), and the Administrator of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence, shall establish criteria for grants awarded under this subsection, and administering the R&D Fund, to support research and the commercial application of that research, including in the following areas:

(A) Promoting development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in the fifth-generation (commonly known as “5G”) and successor wireless technology supply chains.

(B) Accelerating development and deployment of open interface standards-based compatible, interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, and the O-TAPP, that may be procured in a vendor-neutral vendor network environment.

(C) Objective criteria to define equipment as compatible, interoperable, and available to multi-vendor network equipment interoperability.

(D) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multi-vendor networks.

(E) Providing development and inclusion of network features enhancing the integrity and availability of equipment in multi-vendor networks.

(F) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in the fifth-generation (commonly known as “5G”) and successor wireless technology supply chains.

(G) Promoting the application of network function virtualization to facilitate multi-vendor interoperability and a more diverse vendor market.

(H) TIMING.—Not later than 1 year after the date of enactment of this Act, the NTIA Administrator shall begin awarding grants under this subsection.

(I) FEDERAL ADVISORY BODY.—

(A) ESTABLISHMENT.—The NTIA Administrator shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the NTIA Administrator on the administration of the R&D Fund.

(B) COMPOSITION.—The advisory committee established under subparagraph (A) shall be composed of—

(i) representatives from—

(1) the Commission;

(2) (II) the Defense Advanced Research Projects Administration;

(III) the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence;

(IV) the National Institute of Standards and Technology;

(V) the Department of State;

(VI) the National Science Foundation; and

(VII) the Department of Homeland Security; and

(ii) other representatives from the private and public sectors, at the discretion of the NTIA Administrator.

(C) DUTIES.—The advisory committee established under subparagraph (A) shall advise the NTIA Administrator on technology developments to help inform—

(i) the strategic direction of the R&D Fund; and

(ii) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(7) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the NTIA Administrator shall submit to the relevant committees of Congress a report with—

(i) additional recommendations on promoting the competitiveness and sustainability of security-critical telecommunications infrastructure, including increased technology development and adoption, and increased transparency of telecommunications infrastructure supply chains; and

(ii) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, in order to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.

(B) ANNUAL REPORT.—For each fiscal year for which amounts in the R&D Fund are available under this subsection, the NTIA Administrator shall submit to Congress a report that—

(i) describes how, and to whom, amounts in the R&D Fund have been deployed.

(ii) details the progress of the NTIA Administrator in meeting the objectives described in paragraph (4); and

(iii) includes any additional information that the NTIA Administrator determines appropriate.

(c) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the “Multilateral Telecommunications Security Fund”.

(B) USE OF FUND.—Amounts deposited in the Multilateral Telecommunications Security Fund shall be available for the Secretary of State to make expenditures under this subsection in such amounts as the Secretary of State determines appropriate.

(C) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the Multilateral Telecommunications Security Fund—

(1) shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act; and

(2) may only be allocated by the Secretary of State reaching an agreement with foreign government partners to participate in the common funding mechanism described in paragraph (2).

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the Multilateral Telecommunications Security Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) ADMINISTRATION OF FUND.—The Secretary of State, in consultation with the Department of the Treasury, shall administer the Multilateral Telecommunications Security Fund established under this subsection.
the Commission, shall establish a common funding mechanism, in coordination with foreign partners, that uses amounts from the Multilateral Telecommunications Security Fund to support the development and adoption of secure and trusted telecommunications technologies.

(3) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Multilateral Telecommunications Security Fund are available, the Secretary of State shall submit to the relevant committees of Congress a report on the status and progress of the funding mechanism established under paragraph (2), (C):

(A) any funding commitments from foreign partners, including each specific amount committed;

(B) governing criteria for use of the Multilateral Telecommunications Security Fund;

(C) an account of—

(i) how, and to whom, funds have been deployed;

(ii) amounts remaining in the Multilateral Telecommunications Security Fund; and

(iii) the progress of the Secretary of State in meeting the objective described in paragraph (2); and

(D) additional authorities needed to enhance the effectiveness of the Multilateral Telecommunications Security Fund in achieving the security goals of the United States.

SEC. 1093. PROMOTING UNITED STATES LEADERSHIP IN INTERNATIONAL ORGANIZATIONS AND COMMUNICATIONS STANDARDS-SETTING BODIES.

(a) IN GENERAL.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission, or their designees, shall prioritize the use of Federal funds to enhance representation of the United States at international forums that set standards for 5G networks and for future generations of wireless communications networks, including—

(1) the International Telecommunication Union (commonly known as “ITU”);

(2) the International Organization for Standardization (commonly known as “ISO”);

(3) the Inter-American Telecommunications Commission (commonly known as “CITEL”); and

(4) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3GPP and the Institute of Electrical and Electronics Engineers (commonly known as “IEEE”).

(b) ANNUAL REPORT.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission shall jointly submit to the relevant committees of Congress an annual report on the progress made under subsection (a).

SA 2198. Mr. CRAPO (for himself, Mr. Brown, Mr. Cotton, Mr. Warner, Mr. Rounds, Mr. Jones, Mr. Moran, Mr. Menendez, and Mr. Kennedy) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to present the military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table, as follows:

DIVISION E—ANTI-MONEY LAUNDERING

SEC. 5001. SHORT TITLE.

This division may be cited as the “Anti-Money Laundering Act of 2020.”

SEC. 5002. PURPOSES.

The purposes of this division are—

(1) to improve coordination among the agencies tasked with administering anti-money laundering and countering the financing of terrorism requirements, and with private sector responses to the threats from illicit funds or terrorist-related threats; and

(2) to modernize anti-money laundering and countering the financing of terrorism laws and regulations to enable private sector response to new and emerging threats;

(3) to encourages improvements in the adoption of new technology by financial institutions to more effectively counter money laundering and the financing of terrorism; and

(4) to reinstitute an anti-money laundering and countering the financing of terrorism policy and procedures, and controls of financial institutions shall be risk based;

(5) to establish uniform beneficial ownership information reporting requirements to—

(A) improve transparency for national security, intelligence, and law enforcement agencies concerning corporate structures andInsurers to manage illicit funds through those structures;

(B) discourage the use of shell corporations as a tool to disguise illicit funds;

(C) assist national security, intelligence, and law enforcement agencies with the pursuit of crimes; and

(D) protect the national security of the United States.

(6) to establish a secure, nonpublic database at FinCEN for beneficial ownership information.

SEC. 5003. DEFINITIONS.

In this division:

(a) BANK SecRECy ACT.—The term “Bank Secrecy Act” means—

(1) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1226);

(2) chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.); and

(3) subchapter II of chapter 33 of title 31, United States Code.

(b) ELECTRONIC FUND TRANSFER.—The term “electronic fund transfer” has the meaning given the term in the definition of the term “Electronic Fund Transfer Act” (15 U.S.C. 1603).

(c) FEDERAL FUNCTIONAL REGULATOR.—The term “Federal functional regulator”—

(i) has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809); and

(ii) includes any Federal regulator that exercises a financial institution’—

(1) has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809); and

(2) in subsection (a)(1), by striking “subsection (b)(2)” and inserting “sections (b)(2) and (h)(4)” ; and

(b) in subsection (h)—

(1) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by inserting “and the financing of terrorism” after “money laundering’’; and

(ii) by adding at the end the following:

“(A) IN GENERAL.—The Secretary’’; and

(B) in paragraph (2)—

(i) by striking “and the financing of terrorism’’ after “money laundering’’; and

(ii) by adding at the end the following:

“(A) the term “bank supervisor’’ means the term “Federal functional regulator’’ as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809); and

(B) in paragraph (3), by inserting “and countering the financing of terrorism’’ after “anti-money laundering’’;

(c) ANTI-MONEY LAUNDERING PROGRAMS.—Section 5312 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking “subsection (a)(1), by striking “subsection (b)(2)” and inserting “sections (b)(2) and (h)(4)” ; and

(b) in subsection (h)—

(1) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by inserting “and the financing of terrorism” after “money laundering’’; and

(ii) by adding at the end the following:

“(A) IN GENERAL.—The Secretary’’; and

(2) in subsection (a)—

(i) by striking “and the financing of terrorism’’ after “money laundering’’; and

(ii) by adding at the end the following:

“(A) the term “bank supervisor’’ means the term “Federal functional regulator’’ as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809); and

(B) in paragraph (3), by inserting “and countering the financing of terrorism’’ after “anti-money laundering’’;

(d) OTHER DEFINITIONS.—The definitions in section 5312 of title 31, United States Code, are amended—

(1) in subsection (b)(1), by striking “and countering the financing of terrorism” after “money laundering’’; and

(2) by adding at the end the following:

“(A) the term “bank supervisor’’ means the term “Federal functional regulator’’ as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809); and

(B) in paragraph (3), by inserting “and countering the financing of terrorism’’ after “anti-money laundering’’;

(e) IN GENERAL.—The Secretary’’; and

(2) in subsection (a)—

(i) by striking “and the financing of terrorism’’ after “money laundering’’; and

(ii) by adding at the end the following:

“(A) the term “bank supervisor’’ means the term “Federal functional regulator’’ as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809); and

(B) in paragraph (3), by inserting “and countering the financing of terrorism’’ after “anti-money laundering’’;

(f) OTHER DEFINITIONS.—The definitions in section 5312 of title 31, United States Code, are amended—

(1) in subsection (b)(1), by striking “and countering the financing of terrorism” after “money laundering’’; and

(2) by adding at the end the following:

“(A) the term “bank supervisor’’ means the term “Federal functional regulator’’ as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809); and

(B) in paragraph (3), by inserting “and countering the financing of terrorism’’ after “anti-money laundering’’;

(g) IN GENERAL.—The Secretary’’; and

(2) in subsection (a)—

(i) by striking “and the financing of terrorism’’ after “money laundering’’; and

(ii) by adding at the end the following:

“(A) the term “bank supervisor’’ means the term “Federal functional regulator’’ as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809); and

(B) in paragraph (3), by inserting “and countering the financing of terrorism’’ after “anti-money laundering’’;
United States financial system from illicit finance risks.

(‘‘(ii) The extension of financial services to the underbanked and remittances coming from abroad and in ways that simultaneously prevent criminal underbanked persons from abusing formal or informal financial services networks are key policy goals.

(‘‘(iii) Effective anti-money laundering and countering the financing of terrorism programs safeguard national security and govern in the United States and abroad in ways that simultaneously prevent criminal underbanked persons from abusing formal or informal financial services networks are key policy goals.

(‘‘(iv) Anti-money laundering and countering the financing of terrorism programs described in paragraph (1) should be—

(1) reasonably designed to assure and monitor compliance with the requirements of this subchapter and regulations promulgated under this subchapter; and

(2) risk based, including ensuring that more processes of financial institutions should be directed toward higher risk customers and activities, consistent with the risk profile of a financial institution, toward lower risk customers and activities.”.

(‘‘(A) In GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary of the Treasury, in consultation with the Attorney General, Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)), relevant State financial regulators, national security agencies, and the Secretaries of Homeland Security, shall establish and make public priorities for anti-money laundering and countering the financing of terrorism policy.

(‘‘(B) UPDATES.—Not less frequently than once every 4 years, the Secretary of the Treasury, in consultation with the Attorney General, Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)), relevant State financial regulators, national security agencies, and the Secretaries of Homeland Security, shall update the priorities established under subparagraph (A).

(‘‘(C) Extension of NATIONAL STRATEGY.—The Secretary of the Treasury shall ensure that the priorities established under subparagraph (A) are consistent with the national policy of countering the financing of terrorism and related forms of illicit finance developed under section 261 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115-144; 131 Stat. 934).

(‘‘(D) RULEMAKING.—Not later than 180 days after the date on which the Secretary of the Treasury, in consultation with the Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)) and relevant State financial regulators, shall, as appropriate, promulgate regulations to carry out this paragraph.

(‘‘(E) SUPERVISION AND EXAMINATION.—The review by a financial institution of the priorities established under subparagraph (A) and the incorporation of those priorities, as appropriate, into the risk-based programs established by the financial institution to meet the requirements of this subchapter and regulations promulgated under this subchapter and regulations promulgated under this subchapter shall remain the responsibility of, and be performed by, persons in the United States who are accessible to, and subject to oversight by, the Secretary of the Treasury and the appropriate Federal functional regulator (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)).

(‘‘(f) FINANCIAL CRIMES ENFORCEMENT NETWORK.—Section 310(b)(2) of title 31, United States Code, is amended—

(1) by redesignating subparagraph (J) as subparagraph (O); and

(2) by inserting after subparagraph (I) the following:

(‘‘(J) Promulgate regulations under sections 5318(b)(4)(D), as appropriate, to implement the government-wide anti-money laundering and countering the financing of terrorism examination and supervision priorities established by the Secretary of the Treasury under section 5318(b)(4)(A).

(‘‘(K) Communicate regularly with financial institutions and Federal functional regulators that examine financial institutions for compliance with subchapter II of chapter 53 and regulations promulgated under that subchapter and law enforcement authorities to explain the United States Government’s anti-money laundering and countering the financing of terrorism examination and supervision priorities.

(‘‘(L) Give and receive feedback to and, from financial institutions, State bank supervisors, and State credit union supervisors (as those terms are defined in section 5060 of the Anti-Money Laundering Act of 2020) regarding the matters addressed in subchapter II of chapter 53 and regulations promulgated under that subchapter.

(‘‘(M) Maintain money laundering and terrorist financing investigation financial experts capable of identifying, tracking, and tracing financial transactions involved in identifying emerging threats to support Federal civil and criminal investigations.

(‘‘(N) Maintain financial technology experts to encourage the development and identify emerging technologies that can assist the United States Government or financial institutions in countering money laundering and the financing of terrorism.”.

SEC. 5102. STRENGTHENING FINCEN.

(a) FINDINGS.—Congress finds the following:

(1) The mission of FinCEN is to safeguard the financial system from illicit use, counter money laundering and the financing of terrorism, and promote national security through its coordination of financial intelligence, and the collection, analysis, and dissemination of financial intelligence.

(2) In its mission to safeguard the financial system from the abuses of financial crime, including the financing of terrorism, money laundering, and other illicit activity, the United States should prioritize working with partners in Federal, State, local, Tribal, and foreign law enforcement authorities.

(3) Although the use and trading of virtual currencies is legal practices, some terrorists and criminals, including international criminal organizations, seek to exploit vulnerabilities in the global financial system and increasingly rely on substitutes for currency or value that substitutes for currency. (such as virtual currencies), to move illicit funds.

(4) In carrying out its mission, FinCEN should ensure that its efforts fully support countering the financing of terrorism efforts, including making sure that steps to address them reflect the high priorities.

(b) EXPANDING INFORMATION SHARING WITH TRUSTED AUTHORITIES.—Section 310(b)(2) of title 31, United States Code, is amended—

(1) in subparagraphs (C), (E), and (F), by inserting “Tribal”, after “local”, each place that term appears; and

(2) in subparagraph (C)(vi), by striking “international”.

(c) EXPANSION OF REPORTING AUTHORITIES TO COUNT MONEY LAUNDERING.—Section 5318(a)(2) of title 31, United States Code, is amended—

(1) by inserting “, including the collection and reporting of certain information as the Secretary of the Treasury may prescribe by regulation,” after “appropriate procedures”;

and

(2) by inserting “, the financing of terrorism, or other forms of illicit finance” after “money laundering.”

(d) VALUE THAT SUBSTITUTES FOR CURRENCY.—

(1) DEFINITIONS.—Section 5312(a) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking “, or a transaction in money, credit, securities, or gold”; and

(2) in subparagraphs (E), (F), and (G), by striking “money, credit, securities, or gold”.

(2) by striking paragraphs (1) and (2) and inserting the following:

(1) the financing of terrorism;

(2) the financing of money laundering.

SEC. 5103. FINCEN EXCHANGE.

(a) FINDINGS.—Section 310(j) of title 31, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (l); and

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

(‘‘(d) FINCEN EXCHANGE.—

(‘‘(1) DEFINITIONS.—In this subsection—

(‘‘(A) (as defined in section 5003 of the Anti-Money Laundering Act of 2020); and
“(B) the term ‘financial institution’ has the meaning given the term in section 5312.
“(2) ESTABLISHMENT.—The FinCEN Exchange is hereby established within FinCEN.
“(3) FINANCING.—FinCEN Exchange shall receive payment for the services provided by the Exchange.
“(A) effectively and efficiently combat money laundering, terrorism financing, organized crime, and other financial crimes, including providing information and technical advances in reporting—
“(i) under subchapter II of chapter 53 and the regulations promulgated under that subchapter; and
“(ii) with respect to other anti-money laundering requirements;
“(B) protect the financial system from illicit use; and
“(C) promote national security.
“(4) REPORT.—
“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and every 2 years thereafter for the next 5 years, the Secretary of the Treasury shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—
“(i) an analysis of the efforts undertaken by the FinCEN Exchange, which shall include an analysis of—
“(I) the results of those efforts; and
“(II) the extent and effectiveness of those efforts, including any benefits realized by law enforcement agencies from partnering with financial institutions, which shall be consistent with standards protecting sensitive information; and
“(ii) any legislative, administrative, or other actions the Secretary may have to strengthen the efforts of the FinCEN Exchange.

(B) CLASSIFIED ANNEX.—Each report under subparagraph (A) may include a classified annex.

(5) INFORMATION SHARING REQUIREMENT.—Information shared under this subsection shall be—
“(A) in compliance with all other applicable Federal laws and regulations;
“(B) shared in a manner as to ensure the appropriate confidentiality of personal information; and
“(C) at the discretion of the Director, with the support of the Director, with the concurrence of the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—
“(i) the extent and effectiveness of those efforts; and
“(ii) any legislative, administrative, or other actions the Secretary may have to strengthen the efforts of the FinCEN Exchange.

SEC. 5105. TERRORISM AND FINANCIAL INTELLIGENCE SPECIAL HIRING AUTHORITY.

(a) FinCEN.—Section 310 of title 31, United States Code, as amended by section 5103 of this division, is amended by inserting after subsection (d) the following:

“(e) SPECIAL HIRING AUTHORITY.—
“(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service, as defined in section 2102 of that title, in FinCEN.

“(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed under this subparagraph shall be to provide substantive support in support of the duties described in subparagraphs (A) through (O) of subsection (b)(2).

(b) OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.—Section 312 of title 31, United States Code, is amended by adding at the end the following:

“(g) SPECIFIC HIRING AUTHORITY.—
“(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service (as defined in section 2102 of that title) in the OTFI.

“(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed under paragraph (1) shall be to provide substantive support in support of the duties described in subparagraphs (A) through (G) of subsection (a)(4).

“(h) DEPARTMENT OF STAFF.—The Secretary of the Treasury may detail, without regard to the provisions of section 300.301 of title 5, Code of Federal Regulations, any employee in the OTFI to any position in the OTFI for which the Secretary has determined there is a need.

“(i) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter for 5 years, the Secretary of the Treasury shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that includes the number of new employees hired during the previous year under the authorities described in sections 310 and 312 of title 31, United States Code, along with position titles and associated pay grades for such hires.

SEC. 5106. TREASURY ATTACHÉ PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 3 of title 31, United States Code, is amended by adding at the end the following:

“§ 316. Treasury Attaché Program

“(a) IN GENERAL.—There is established the Treasury Financial Attache Program, under which the Secretary of the Treasury shall appoint employees of the Department of the Treasury as Treasury Attachés, who shall—

“(1) further the work of the Department of the Treasury, including developing and executing the financial and economic policy of the United States Government and the international fight against terrorism, money laundering, and other illicit financial activities, with foreign counterparts, including employment of representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

“(2) be co-located in a United States Embassy, a similar United States Government facility, or a foreign government facility, as the Secretary determines is appropriate;

“(3) establish and maintain relationships with foreign counterparts, including employing representatives of the Department of Defense, and international financial institutions, and other relevant official entities;

“(4) conduct outreach to local and foreign financial institutions and other commercial actors;

“(5) as appropriate, coordinate with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

“(6) perform such other actions as the Secretary determines are appropriate.

“(b) NUMBER OF ATTACHÉS.—

“(1) IN GENERAL.—The number of Treasury Financial Attachés appointed under this section at any one time shall not be fewer than 6 more employees than the number of employees of the Department of the Treasury serving as Treasury attachés on the date of enactment of this section.

“(2) ADDITIONAL POSTS.—The Secretary of the Treasury may establish additional posts subject to the availability of appropriations.

“(c) COMPENSATION.—

“(1) IN GENERAL.—Each Treasury Financial Attaché appointed under this section and located at a United States Embassy shall receive compensation, including allowances, at the higher of—

“(A) the rate of compensation, including allowances, provided to a Foreign Service officer serving at the same embassy; and

“(B) the rate of compensation, including allowances, the Treasury attaché would otherwise have received, absent the application of this subsection.

“(2) PHASE IN.—The compensation described in paragraph (1) shall be phased in over 2 years.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 3 of title 31, United States Code, is amended by inserting after the item relating to section 315 the following:

“316. Treasury Attaché Program.”.

SEC. 5107. ESTABLISHMENT OF FINCEN DOMESTIC LIAISON.

Section 310 of title 31, United States Code, as amended by sections 5103 and 5105 of this division, is amended by inserting after subsection (e) the following:

“(f) FINCEN DOMESTIC LIASONS.—

“(1) ESTABLISHMENT OF OFFICE.—There is established in FinCEN an Office of Domestic Liaison, which shall be headed by the Chief Domestic Liaison.

“(2) LOCATION.—The Office of the Domestic Liaison shall be located in the District of Columbia.

“(3) CHIEF DOMESTIC LIASON.—

“(1) IN GENERAL.—The Chief Domestic Liaison shall—

“(A) report directly to the Director; and

“(B) be appointed by the Director, from among individuals with experience or familiarity with anti-money laundering program examinations, supervision, and enforcement.

“(2) COMPENSATION.—The annual rate of pay for the Chief Domestic Liaison shall be equal to the highest rate of annual pay for other senior executives who report to the Director.

“(3) STAFF OF OFFICE.—The Chief Domestic Liaison, with the concurrence of the Director, may retain or employ counsel, research staff, and service staff, as the Liaison determines necessary to carry out the functions, powers, and duties under this subsection.

“(4) DEPARTMENTAL LIASONS.—The Chief Domestic Liaison, with the concurrence of the Director, shall appoint not fewer than 6 senior
FinCEN employees as FinCEN Domestic Liaisons, who shall—

(A) report to the Chief Domestic Liaison;

(B) each be assigned to focus on a specific region and one or more agencies, and shall be selected by the FinCEN Director; and

(C) be located at an office in such region or co-located at an office of the Board of Governors of the Federal Reserve System in such region or co-located with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government;

(4) prevent the receipt of any other information, as determined by the Director.

(5) Functions of the Domestic Liaisons.

(A) In General.—Each Domestic Liaison shall—

(i) in coordination with relevant Federal functional regulators, perform outreach to BSA officers at financial institutions, including nonbank financial institutions, and persons that are not financial institutions, especially with respect to actions taken by FinCEN that require specific actions by, or have specific effects on, such institutions or persons, as determined by the Director;

(ii) in accordance with applicable agreements, receive feedback from financial institutions and examiners of Federal functional regulators regarding their examinations under the Bank Secrecy Act and communicate that feedback to FinCEN, the Federal functional regulators, and State bank supervisors;

(iii) promote coordination and consistency of supervisory guidance from FinCEN, the Federal functional regulators, State bank supervisors, and State credit union supervisors with respect to information sharing matters involving the Bank Secrecy Act and regulations promulgated thereunder;

(iv) establish safeguards to maintain the confidentiality of communications between the persons described in clause (ii) and the Officers of the House of Representatives;

(v) to the extent practicable, periodically propose to the Director changes in the regulations, guidance, or orders of FinCEN, including any legislative or administrative changes that may be appropriate to ensure improved coordination and expand information sharing under this paragraph.

(B) Access to Documents.—Nothing in this paragraph may be construed to permit the Domestic Liaisons to have authority over supervision, examination, or enforcement proceedings.

(6) Access to Documents.—FinCEN, to the extent practicable and consistent with appropriate safeguards for sensitive enforcement-related, pre-decisional, or deliberative information that is exempt from public disclosure under the Freedom of Information Act or the Anti-Money Laundering Act of 2020, shall—

(A) be knowledgeable about domestic and international anti-money laundering or countering the financing of terrorism authorities; and

(B) participate in industry outreach engagements with foreign financial institutions and other commercial actors on anti-money laundering and countering the financing of terrorism issues as appropriate, coordinate with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

(C) perform such other duties as the Director determines to be appropriate.

(7) Protection of Information Obtained by Foreign Law Enforcement and Financial Intelligence Units; Freedom of Information Act.

(i) Definitions.—In this subsection:

(A) Bank Secrecy Act.—The term ‘Bank Secrecy Act’ has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

(B) BSA Officer.—The term ‘BSA officer’ means an employee of a financial institution whose primary job responsibility involves control of money laundering and countering the financing of terrorism, as defined by the Bank Secrecy Act (as defined in section 5003 of the Anti-Money Laundering Act of 2020).

(C) Federal Functional Regulator.—The term ‘Federal functional regulator’ has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

(D) Financial Institution.—The term ‘financial institution’ has the meaning given the term under section 512.

(E) State Bank Supervisor; State Credit Union Supervisor.—The terms ‘State bank supervisor’ and ‘State credit union supervisor’ have the meanings given in the term under section 512.

(F) State or Local Official.—The term ‘State or local official’ means any foreign agency or authority that is empowered under foreign law to conduct anti-money laundering and countering the financing of terrorism and proliferation.

(G) Foreign Financial Intelligence Unit.—The term ‘foreign financial intelligence unit’ means any foreign agency or authority, including a foreign financial intelligence unit that is a member of the Egmont Group of Financial Intelligence Units, that is empowered under foreign law as a jurisdiction’s national center for—

(i) receipt and analysis of suspicious transaction reports and other information relevant to money laundering, terrorist predicate offenses, and financing of terrorism; and

(ii) the dissemination of the results of the analysis described in clause (i).

(H) Foreign Law Enforcement Authority.—The term ‘foreign law enforcement authority’ means any foreign agency or authority that is empowered under foreign law to detect, investigate, or prosecute potential violations of law.

(I) Information Exchanged with Foreign Law Enforcement Authorities, Foreign Financial Intelligence Units, and Foreign Anti-Money Laundering and Countering the Financing of Terrorism Authorities.

(A) In General.—The Director of FinCEN may enter into aMutual Legal Assistance Treaty or other agreement with FinCEN or any other department or agency of the United States or with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

(B) Participation in Industry Outreach Engagements with Foreign Financial Institutions and Other Commercial Actors on Anti-Money Laundering and Countering the Financing of Terrorism Issues.

(i) In General.—The Director of FinCEN may enter into a mutual legal assistance treaty or other agreement with FinCEN or any other department or agency of the United States or with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government for the purpose of—

(A) participating in industry outreach engagements with foreign financial institutions and other commercial actors on anti-money laundering and countering the financing of terrorism issues; and

(B) establishing, maintaining, or participating in a task force created by or under the authority of Federal functional regulators or examiners of financial institutions, central banks, law enforcement agencies, and other competent authorities; and

(C) performing such other duties as the Director determines to be appropriate.

(ii) Protection of Information Obtained by FinCEN.—Nothing in this subsection shall be construed to preclude FinCEN or any other department or agency from reviewing a report required under subparagraph (A) for the sole purpose of—

(A) determining whether a violation of law has occurred; and

(B) disclosing such information to law enforcement authorities or appropriate officials as determined by the Director.

(iii) In General.—Each report required under subparagraph (A) shall contain—

(A) appropriate statistical information and for the fiscal year and the activities of the Office during the immediately preceding year, a report on the objectives of the Office of Domestic Liaison.

(B) recommendations to the Director for such administrative and legislative actions as may be appropriate to address information sharing and coordination issues encountered by financial institutions or by examiners of Federal functional regulators; and

(C) any other information, as determined by the Director.

(iv) Reporting.—The Director shall ensure the report does not disclose sensitive information.

(v) Rule of Construction.—Nothing in clause (i) may be construed to preclude FinCEN or any other department or agency from reviewing a report required under subparagraph (A) for the sole purpose of—

(A) determining whether a violation of law has occurred; and

(B) disclosing such information to law enforcement authorities or appropriate officials as determined by the Director.

(vi) No Place in Judicial Proceedings.—Nothing in paragraph (A) for the sole purpose of—

(A) determining whether a violation of law has occurred; and

(B) disclosing such information to law enforcement authorities or appropriate officials as determined by the Director.

(vii) Access to Documents.—FinCEN, to the extent practicable and consistent with appropriate safeguards for sensitive enforcement-related, pre-decisional, or deliberative information that is exempt from public disclosure under the Freedom of Information Act or the Anti-Money Laundering Act of 2020, shall—

(A) be knowledgeable about domestic and international anti-money laundering or countering the financing of terrorism authorities; and

(B) participate in industry outreach engagements with foreign financial institutions and other commercial actors on anti-money laundering and countering the financing of terrorism issues as appropriate, coordinate with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

(C) perform such other duties as the Director determines to be appropriate.

(8) International Anti-Money Laundering and Countering the Financing of Terrorism Authority.

(A) In General.—Section 310 of title 31, United States Code, as amended by sections 5103, 5105, 5107, and 5108 of this division, is amended by inserting after subsection (b) the following:

(2) Information Exchanged with Foreign Financial Intelligence Units; Freedom of Information Act.

(i) Definitions.—In this subsection:

(A) Bank Secrecy Act.—The term ‘Bank Secrecy Act’ has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

(B) BSA Officer.—The term ‘BSA officer’ means an employee of a financial institution whose primary job responsibility involves control of money laundering and countering the financing of terrorism, as defined by the Bank Secrecy Act (as defined in section 5003 of the Anti-Money Laundering Act of 2020).

(C) Federal Functional Regulator.—The term ‘Federal functional regulator’ has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

(D) Financial Institution.—The term ‘financial institution’ has the meaning given the term under section 512.

(E) State Bank Supervisor; State Credit Union Supervisor.—The terms ‘State bank supervisor’ and ‘State credit union supervisor’ have the meanings given in the term under section 512.

(F) State or Local Official.—The term ‘State or local official’ means any foreign agency or authority that is empowered under foreign law to conduct anti-money laundering and countering the financing of terrorism and proliferation.

(G) Foreign Financial Intelligence Unit.—The term ‘foreign financial intelligence unit’ means any foreign agency or authority, including a foreign financial intelligence unit that is a member of the Egmont Group of Financial Intelligence Units, that is empowered under foreign law as a jurisdiction’s national center for—

(i) receipt and analysis of suspicious transaction reports and other information relevant to money laundering, terrorist predicate offenses, and financing of terrorism; and

(ii) the dissemination of the results of the analysis described in clause (i).

(H) Foreign Law Enforcement Authority.—The term ‘foreign law enforcement authority’ means any foreign agency or authority that is empowered under foreign law to detect, investigate, or prosecute potential violations of law.

(I) Information Exchanged with Foreign Law Enforcement Authorities, Foreign Financial Intelligence Units, and Foreign Anti-Money Laundering and Countering the Financing of Terrorism Authorities.

(A) In General.—The Department of the Treasury may not be compelled to search for or disclose information exchanged with a foreign law enforcement authority, foreign financial intelligence unit, or foreign anti-money laundering and countering the financing of terrorism authority.
SEC. 5110. ASSESSMENT OF BANK SecRECY ACT APPLICATION TO DEALERS IN ARTS AND ANTIQUITIES.

(a) Study on the facilitation of money laundering and terrorism finance through the trade of works of art or antiquities.—The Secretary, in coordination with the Director of the Federal Bureau of Investigation, the Attorney General, and the Secretary of Homeland Security, shall perform a study on the facilitation of money laundering and the financing of terrorism through the trade of works of art or antiquities, including an analysis of—

(1) the extent to which the facilitation of money laundering and the financing of terrorism through the trade of works of art or antiquities may enter or affect the financial system of the United States, including any qualitative data or statistics;

(2) an evaluation of which markets, by size, domestic or international geographical locations, or otherwise, should be subject to any regulations described in paragraph (3);

(3) whether thresholds should apply in determining which entities, if any, to regulate;

(4) an evaluation of whether certain exemptions from any regulations described in paragraph (3) and (5) any other matter the Secretary determines appropriate.

(b) Notification and rulemakings.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Director of the Federal Bureau of Investigation, the Attorney General, and the Secretary of Homeland Security, shall—

(1) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a); and

(2) propose rulemakings, if appropriate, to implement the findings and determinations described in paragraph (1).

SEC. 5111. INCREASED TECHNICAL ASSISTANCE FOR INTERNATIONAL COOPERATION.

(a) Authorization of Appropriations.—

(1) In general.—There is authorized to be appropriated for that purpose for fiscal years 2020 through 2024 for the purpose described in paragraph (2) an amount equal to twice the amount authorized to be appropriated for that purpose for fiscal year 2019.

(2) Purposes described.—The purpose described in paragraph (1) is that provided foreign and financial institutions in foreign countries, that promotes compliance with international standards and best practices, including in particular international standards and best practices relating to the establishment, advancement, and implementation of programs and programs for countering the financing of terrorism.

(b) Specifically exempted by statute.—For purposes of paragraph (1), any amounts provided pursuant to chapter 9 for that purpose shall be considered a statute described in subsection (b)(3)(B) of that section.

(c) Savings provision.—Nothing in this section shall authorize the Department of the Treasury to withhold information from Congress or prevent the Department of the Treasury from responding to any request for records or information exchanged between the Department of the Treasury and a foreign law enforcement authority, foreign financial institution, or foreign anti-money laundering and countering the financing of terrorism authority.

(d) Specifically exempted by statute.—For purposes of clause (1) of section 552(a)(3) of title 5, any amount provided pursuant to this Act shall be considered exempt from disclosure under any other provision of title 5, United States Code, and shall not be considered a statute described in subsection (b)(3)(B) of that section.

(e) In general.—Section 552(a)(3) of title 5, United States Code, is amended by adding at the end the following paragraph:

''[(ii) SPECIFICALLY EXEMPTED BY STATUTE.—For purposes of clause (1) of section 552(a)(3) of title 5, United States Code, any amount provided pursuant to this Act shall be considered a statute described in subsection (b)(3)(B) of this section.]

(f) Savings provision.—Nothing in this section shall authorize the Department of the Treasury to withhold information from Congress or prevent the Department of the Treasury from responding to any request for records or information exchanged between the Department of the Treasury and a foreign law enforcement authority, foreign financial institution, or foreign anti-money laundering and countering the financing of terrorism authority.

SEC. 5112. INTERNATIONAL COORDINATION.

(a) In general.—The Secretary shall work with foreign counterparts of the Secretary, including through bilateral contacts, the Financial Action Task Force, the Egmont Group of Financial Intelligence Units, the International Monetary Fund, the International Centre for the Mediterranean Basin, and other appropriate foreign entities, to implement the findings and determinations described in paragraph (1) of section 5110 of title 31, United States Code, is amended, in the fourth sentence, by inserting ''search and'' before ''disclosure''.

(b) Report.—Beginning with the fifth report submitted under subsection (a), and each section included under subsection (c) of section 1701 of the International Financial Institutions Act of 1969 (22 U.S.C. 262q(c)); and

(c) Trends, patterns, and threats.—Each report required under subsection (a) and each section included under subsection (b) shall contain a description of retrospective trends and emerging patterns and threats in money laundering and the financing of terrorism, including national and regional trends, patterns, and threats relevant to the classes of financial institutions that the Attorney General determines appropriate.

(d) Use of report information.—The Secretary shall use the information reported under subsections (a), (b), and (c) to—

(1) to enhance feedback and communications with financial institutions and other entities subject to requirements under the Bank Secrecy Act, including by providing more detailed and timely information distributed under section 314(d) of the USA Patriot Act (31 U.S.C. 5311 note);
(III) establish additional systems and processes as necessary to allow for the reporting described in item (aa).

(1) Standards.—The Secretary of the Treasury shall—

(i) in carrying out clause (i), shall establish standards to ensure that streamlined reports relate to suspicious transactions relevant to pertinent sanctions or laws (including regulations); and

(ii) in establishing the standards under subparagraph (B), shall establish standards to ensure that streamlined reports relate to suspicious transactions relevant to pertinent sanctions or laws (including regulations).

SEC. 5202. ADDITIONAL CONSIDERATIONS FOR SUSPICIOUS ACTIVITY REPORTING REQUIREMENTS

Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

"(g) Considerations in imposing reporting requirements.—

"(A) Definitions.—In this paragraph, the terms "Bank Secrecy Act", "Federal functional regulator", "State bank supervisor", and "State credit union supervisor" have the meanings given the terms in section 5003 of the Anti-Money Laundering Act of 2020.

"(B) Requirements.—In imposing any requirement to report any suspicious transaction under this subsection, the Secretary of the Treasury, in consultation with the Attorney General, appropriate representatives of State and Federal government agencies, State credit union supervisors, and the Federal functional regulators, shall consider items that include—

(i) the priorities established by the Secretary;

(ii) the purposes described in section 5311; and

(iii) the means by or form in which the Secretary shall receive such reporting, including the burdens imposed by such means or form of reporting on persons required to provide such reporting, the efficiency of the means or forms of benefits derived by the means or form of reporting by Federal law enforcement agencies and the intelligence community in countering financial crime, including money laundering and the financing of terrorism.

"(C) Compliance Program.—Reports filed under this subsection shall be guided by the compliance program of a covered financial institution with respect to the Bank Secrecy Act, including the risk assessment processes of the covered financial institution that shall include a consideration of priorities established by the Secretary of the Treasury under section 5318.

"(D) Streamlined Data and Real-Time Reporting.—

(i) Requirement to establish system.—In considering the means by or form in which the Secretary of the Treasury shall require reports to be filed pursuant to subparagraph (B)(iii), the Secretary of the Treasury, acting through the Director of the Financial Crimes Enforcement Network, and in consultation with appropriate representatives of the State bank supervisors, State credit union supervisors, and Federal functional regulators, shall—

(aa) reduce burdens imposed on persons required to report; and

(bb) do not diminish the usefulness of the reports for law enforcement agencies, national security officials, and the intelligence community in countering financial crime, including the financing of terrorism;

(ii) implement the requirements of subparagraph (B)(iii), (aa) permit streamlined, including automated, reporting for the categories described in subparagraph (B)(iii); and

(bb) include the conditions under which the reporting described in item (aa) is permitted; and

"(E) Confidentiality.—Any information received by a financial institution under this section shall be subject to confidentiality requirements established by the Secretary.

SEC. 5203. LAW ENFORCEMENT FEEDBACK ON SUSPICIOUS ACTIVITY REPORTS

(a) Feedback.—

(1) In general.—FinCEN shall, to the extent practicable, periodically solicit feedback from individuals designated under section 5311 of title 31, United States Code, by a variety of financial institutions representing a cross-section of the reporting industry to review the suspicious activity reports filed by those financial institutions and discuss trends in suspicious activity observed by FinCEN.

(2) Coordination with Federal functional regulators, State bank supervisors, and State credit union supervisors.—FinCEN shall provide any feedback solicited under paragraph (1) to the appropriate Federal functional regulator, State bank supervisor, or State credit union supervisor during the regularly scheduled examination of the applicable financial institution by the Federal functional regulator, State bank supervisor, or State credit union supervisor, as applicable.

(b) Disclosure Required.—

(1) In general.—Nothing in this paragraph may be construed to require the public disclosure of any information filed with the Department of the Treasury under the Bank Secrecy Act.

(2) Exception for ongoing and closed investigations and to protect national security.—FinCEN shall not be required to disclose to a financial institution any information under paragraph (1) that relates to an ongoing investigation or implicates the national security of the United States.

(c) Maintenance of statistics.—With respect to the actions described in paragraph (1), FinCEN shall keep records of all such actions taken to assist with the production of the reports described in paragraph (1) of section 5318(g) of title 31, United States Code, as added by section 5302 of this division, and for other purposes.

(d) Coordination with Department of Justice.—The information disclosed by FinCEN under this subsection shall include informa-
SEC. 5203. CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS THRESHOLDS REVIEW.

(a) REVIEW OF THRESHOLDS FOR CERTAIN CURRENCY TRANSACTION REPORTS.—The Secretary, in consultation with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Federal functional regulators, State bank supervisors, State credit union supervisors, other relevant stakeholders, shall study and determine whether the dollar thresholds, including aggregate thresholds, under sections 5313, 5318(g), and 5331 of title 31, United States Code, including regulations under sections 5313, 5318(g), and 5331 of title 31, United States Code, including regulations issued under those sections, should be adjusted.

(b) PROPOSED RULEMAKINGS.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, and the Federal functional regulators, shall—

(1) submit to Congress a report that contains all findings and determinations made in carrying out the review required under subsection (a); and

(2) propose rulemakings, as appropriate, to implement the findings and determinations described in paragraph (1).
and necessary, work to provide policy clar-
ity, which may include providing reports or
guidance to stakeholders, regarding innova-
tive technologies and practices presented at
each symposium convened under this sec-
tion, to the extent that those technologies and
practices further the purposes of this section.

(f) FinCEN Briefing.—Not later than 90
days after the date of enactment of this Act,
the Director of FinCEN shall brief the Com-
mittee on Banking, Housing, and Urban Af-
fairs of the Senate and the Committee on Fi-
cancial Services of the House of Representa-
tives on the use of emerging technologies, in-
ccluding—
(i) the status of implementation and inter-
nal use of emerging technologies, including
artificial intelligence, digital identity tech-
nologies, distributed ledger technologies, and
other innovative technologies within
FinCEN;
(ii) whether artificial intelligence, digital
identity technologies, distributed ledger
technologies, and other innovative tech-
ologies can be further leveraged to make
data analysis by FinCEN more efficient and
effective;
(iii) whether FinCEN could better use arti-
ficial intelligence, digital identity tech-
nologies, distributed ledger technologies, and
other innovative technologies within
FinCEN;
(iv) any other matter the Director deter-
mines appropriate.

SEC. 5210. PILOT PROGRAM ON SHARING OF IN-
FORMATION RELATED TO SUS-
PICIOUS ACTIVITY REPORTS WITHIN A FINANCI-
AL GROUP.

(a) Sharing With Foreign Branches and Af-
filiates.—Section 5318(g) of title 31, United
States Code, as amended by sections 5302
and 5303 of this division, is amended by
adding at the end the following:

"(8) PILOT PROGRAM DESCRIBED.—The pilot
program described in this paragraph shall—
"(i) permit a financial institution with a
reporting obligation under this subsection to
share information related to reports under
this subsection, including that such a
report has been filed, with the institution’s foreign
branches, subsidiaries, and affiliates for the
purposes of combating illicit finance risks,
notwithstanding any other provision of law
except subparagraph (A) or (C);
"(ii) permit, implement, and enforce provisions that
would hold a foreign affiliate of a United States
financial institution liable for the disclosure
of information related to reports under this
section;
"(iii) terminate on the date that is 3 years
after the date of enactment of this para-
graph, except that the Secretary of the
Treasury may extend the pilot program for
not more than 2 years upon submitting to
the Committee on Banking, Housing, and
Urban Affairs and the Committee on
Financial Services of the House of Repre-
sentatives a report that includes—
"(I) a certification that the extension is in
the national interest of the United States,
with a detailed explanation of the reasons
that the extension is in the national interest of
the United States;
"(II) after appropriate consultation by the
Secretary with participants in the pilot pro-
gram, an evaluation of the usefulness of
the pilot program, including a detailed analysis
of any illicit activity identified or prevented
as a result of the program; and
"(III) a detailed legislative proposal pro-
viding for the sharing of collaborative
activities under the pilot program, measures to ensure
data security, and confidentiality of person-
ally identifiable information, including ex-
pected budgetary resources for such activi-
ties, if the Secretary of the Treasury deter-
mines that a long-term extension is appro-
priate.

"(9) TREATMENT OF FOREIGN JURISDI-
CTIONS.—In issuing the rules required
under subparagraph (A), the Secretary of the
Treasury may not permit a financial institu-
tion with a reporting obligation under this
subsection to hold a foreign affiliate with respect to a sus-
picious activity report with respect to a sus-
picious transaction related to a possible
violation of law or regulation shall be sub-
ject to the same confidentiality require-
m ents provided under this section for a
report of a suspicious transaction described
in paragraph (1).

"(10) NO OFFSHORING COMPLIANCE.—No fi-
nancial institution may maintain any opera-
tion located outside of the United States the primary
purpose of which is to ensure compliance with the Bank Sec-
recy Act as a result of the sharing granted
under this subsection.

"(11) DEFINITIONS.—In this subsection:
"(A) AFFILIATE.—The term ‘affiliated entity’ con-
notes the entities that are under common control
by, or is under common control with another
entity.
"(B) BANK SECURITY ACT; STATE BANK SUPER-
VISORY; STATE CREDIT UNION SUPERVISOR.—The
terms ‘Bank Secrecy Act’, ‘State bank super-
visor’, and ‘State credit union supervisor’ have
the meanings given the terms in sec-
tion 5063 of the Anti-Money Laundering Act
of 2020.

(b) Notification Prohibitions.—Section
5318(g)(2)(A) of title 31, United States Code, is
amended—

(1) in clause (i), by inserting ‘‘or otherwise
reveal any information that would reveal
that the transaction has been reported,’’
after ‘‘透露 that the transaction has been reported,’’ and

(2) in clause (ii), by inserting ‘‘or otherwise
reveal any information that would reveal
that the transaction has been reported,’’
after ‘‘透露 that the transaction has been reported.’’

SEC. 5211. SHARING OF COMPLIANCE RE-
sources.

(a) In General.—Section 5318 of title 31,
United States Code, as amended by add-
ing at the end the following:

"(o) SHARING OF COMPLIANCE RESOURCES.—
"(1) SHARING PERMITTED.—In order to more
effectively comply with requirements of
this subchapter, 2 or more financial institu-
tions may enter into collaborative arrange-
ments, as described in the statement entitled
_INTERAGENCY STATEMENT ON SHARING BANK Sec-
recy Act Resources’, published on October 3,
2018, by the Board of Governors of the Fed-
eral Reserve System, the Federal Deposit Ins-
surance Corporation, the National Com-
enforcement Network, the National Credit
Union Administration, and the Office of the
Comptroller of the Currency.

"(2) OUTREACH.—The Secretary of the
Treasury and the appropriate supervising
agencies shall carry out an outreach pro-
grame to provide financial institutions with
information, including a description with
respect to the collaborative arrangements
described in paragraph (1)."

"(b) RULE OF CONSTRUCTION.—The amend-
ment made by subsection (a) may not be con-
strued to require financial institutions
to share resources.

SEC. 5212. ENCOURAGING INFORMATION SHAR-
ING AND PUBLIC-PRIVATE PARTNER-
SHIPS.

(a) In General.—The Secretary shall con-
vene a supervisory team of relevant Federal
agencies, private sector experts in banking,
national security, and law enforcement,
and other stakeholders to examine strategies
to increase cooperation between the public and
private sectors for purposes of combating
proliferation finance and sanctions evasion.

(b) Meetings.—The supervisory team con-
vened under subsection (a) shall meet peri-
odically to examine strategies to increase
cooperation between the public and private
sectors for purposes of combating
proliferation finance and sanctions evasion.
SEC. 5213. FINANCIAL SERVICES DE-RISKING.

(a) FINDINGS.—Congress finds the following:

(1) The practice known as de-risking, whereby financial institutions avoid rather than manage the compliance risk making effective anti-money laundering, countering the financing of terrorism, and sanctions compliance programs ineffective, has negatively impacted the ability of nonprofit organizations to conduct lifesaving activities around the globe.

(2) It has been estimated that 7% of nonprofit organizations based in the United States with international activities face difficulties with financial access, most commonly the inability to operate internationally through transparent, regulated financial channels.

(3) Without access to timely and predictable banking services, nonprofit organizations cannot carry out essential humanitarian activities that can mean life or death to those in affected communities.

(4) De-risking can ultimately drive money into less transparent channels through the carrying of cash or use of unlicensed or unregistered money service remitters, thus reducing financial accountability and which are critical for financial integrity, and can increase the risk of money falling into the wrong hands.

(b) REQUIREMENTS.—Federal agencies must continue to work to address de-risking through the establishment of guidance enabling financial institutions to bank with nonprofit organizations and promoting aligned and proportionate measures consistent with a risk-based approach.

(6) As the 2020 National Strategy for Combating Terrorist and Other Illicit Financing of the Department of the Treasury observes, “Treasuries and interagency partners will continue to engage with charitable organizations to understand the trends and the risk in order to communicate the actual risk that these organizations may be misused to support terrorism and that financial institutions apply the risk-based approach to the opening and maintenance of account services, as the vast majority of U.S.-based tax exempt charitable organizations are not high risk for terrorist financing.”

(7) The Federal Government should work cooperatively with other donor states to promote a multi-stakeholder approach to risk-sharthing, including financial institutions, financial institutions, and nonprofit organizations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to the vital humanitarian and development assistance and protecting the integrity of the international financial system are complementary goals; and

(2) Congress supports—

(A) effective measures to stop the flow of illicit funds and promote the goals of anti-money laundering and countering the financing of terrorism and sanctions regimes;

(B) anti-money laundering and countering the financing of terrorism and sanctions policies that do not unduly hinder or delay the efforts of legitimate humanitarian organizations in providing assistance to—

(i) meet the needs of civilians facing a humanitarian crisis, including enabling governments and humanitarian organizations to provide them with timely access to food, health, and medical care, shelter, and clean drinking water; and

(ii) Provides to alleviate human suffering, in keeping with requirements of international humanitarian law;

(C) policies that ensure that incidental, inadvertent, or rights that may indirectly benefit a designated group in the course of delivering life-saving aid to civilian populations are not the primary focus of Federal Government enforcement efforts; and

(D) laws, regulations, policies, guidance, and other measures that ensure the integrity of the financial system through a risk-based approach.

(c) GAO DE-RISKING ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report—

(1) evaluating the effect of anti-money laundering, countering the financing of terrorism requirements on individuals and entities, including charities, embassy accounts, money-service businesses, and correspondent accounts;

(A) have been subject to categorical de-risking by financial institutions operating in the United States; or

(B) otherwise have difficulty accessing or maintaining—

(i) relationships in the United States financial system; or

(ii) certain financial services in the United States, including opening and keeping open an account;

(2) evaluating the consequences of financial institutions de-risking entire categories of relationships with the individuals and entities described in paragraph (1); and

(3) identifying options for financial institutions handling transactions or accounts for high-risk categories of clients and for minimizing the negative effects of anti-money laundering and countering the financing of terrorism requirements on the individuals and entities described in paragraph (1) without compromising the effectiveness of Federal anti-money laundering and countering the financing of terrorism requirements.

(d) REVIEW OF DE-RISKING.—

(1) DEFINITION.—In this subsection, the term “de-risking” means an action taken by a financial institution to terminate or restrict a business relationship with a customer, or a category of customers, rather than manage the risk associated with that relationship consistent with risk-based supervisory or regulatory requirements.

(2) REVIEW.—Upon completion of the analysis required under subsection (c), the Secretary, in consultation with the Federal functional regulators, State bank supervisors, State credit union supervisors, appropriate public and private sector stakeholders, and other appropriate parties, shall develop a strategy to reduce de-risking and adverse consequences related to de-risking.

(5) REPORT.—Not later than 1 year after the completion of the review required under subsection (c), the Secretary shall submit to Congress a report containing—

(A) all findings and determinations made in carrying out the review; and

(B) the strategy developed under paragraph (4).

SEC. 5214. REVIEW OF REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The Secretary, in consultation with the Federal functional regulators, the Federal Financial Institutions Examination Council, the Attorney General, the Federal law enforcement agencies, the Director of National Intelligence, the Secretary of Homeland Security, and the Comptroller of the Currency, shall—

(1) undertake a formal review of the regulations implementing the Bank Secrecy Act and guidance related to that Act—

(A) to ensure the Department of the Treasury provides, on a continuing basis, for appropriate safeguards to protect the financial system from threats, including money laundering and the financing of terrorism and proliferation, to national security posed by various forms of financial crime;

(B) to ensure that those provisions will continue to require reports or records that are highly useful in countering financial crime; and

(C) to identify those regulations and guidance that—

(i) may be outdated, redundant, or otherwise do not promote a risk-based anti-money laundering compliance and countering the financing of terrorism regime for financial institutions; or

(ii) do not conform with the commitments of the United States to meet international standards to combat money laundering, financing of terrorism, serious tax fraud, or other financial crimes; and

(2) make appropriate changes to the regulations and guidance described in paragraph (1) to improve, as appropriate, the efficiency of those provisions.
(b) PUBLIC COMMENT.—The Secretary shall solicit public comment as part of the review required under subsection (a).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Federal Financial Institutions Examination Council, the Federal functional regulators, the Attorney General, Federal law enforcement agencies, the Director of National Intelligence, the Secretary of Homeland Security, and the Comptroller of the Currency, shall submit to Congress a report that contains all findings and determinations made in carrying out the review required under subsection (a), including administrative or legislative recommendations.

TITLE III—IMPROVING ANTI-MONEY Laundering AND COUNTering THE FI- nANCIAL CRImES EnFORCEment ACT

SEC. 5301. IMPROVED INTERAGENCY COORDINA- TION AND CONSULTATION

Section 5312 of title 31, United States Code, as amended by section 5211(a) of this division, is amended by adding at the end the following:

`(d) INTERAGENCY COORDINATION AND CONSULTATION.—

``(1) IN GENERAL.—The Director, in consultation with the Federal Financial Institutions Examination Council, the Secretary, and each of the Federal functional regulators, State bank supervisors, State credit union supervisors, and other Federal agencies, as appropriate, shall conduct an assessment of whether to establish a process for the issuance of no-action letters by FinCEN in response to inquiries from persons concerning the application of the Bank Secrecy Act, law enforcement actions, whether the application of the Bank Secrecy Act and FinCEN rules and regulations, and other issues with respect to respect to such persons.

``(2) REPORT.—The Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a). ''

SEC. 5302. SUBCOMMITTEE ON INFORMATION SE- CURITY AND CONFIDENTIALITY

Section 104 of the Federal Deposit Insurance Act (12 U.S.C. 1813), as amended by section 5207 of this Act, the term 'financial institution' has the meaning given the term in section 5312 of this Act.

``(k) DEFINITIONS.—In this section:

``(1) BANK Secrecy Act.—the term 'Bank Secrecy Act' has the meaning given the term in section 509 of the Anti-Money Laundering Act of 2020.

``(2) FEDERAL FUNCTIONAL REGULATOR.—The term 'Federal functional regulator' has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809).

``(3) IN GENERAL.—The term 'Federal functional regulator' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

``(4) STATE BANK SUPERVISOR.—The term 'State bank supervisor' means the member of a State government described in section 107A(e) of the Federal Credit Union Act (12 U.S.C. 1757a(e)).''

SEC. 5304. ASSESSMENT OF BANK SECRECY ACT NO-ACTION LETTERS

(a) ASSESSMENT.—

``(1) IN GENERAL.—The Director, in consultation with the Attorney General, the Federal functional regulators, State bank supervisors, State credit union supervisors, and other Federal agencies, as appropriate, shall conduct an assessment of whether to establish a process for the issuance of no-action letters by FinCEN in response to inquiries from persons concerning the application of the Bank Secrecy Act, law enforcement actions, whether the application of the Bank Secrecy Act and FinCEN rules and regulations, and other issues with respect to such persons.

``(2) REPORT.—The Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a).''

SEC. 5305. COOPERATION WITH LAW ENFORCE- MENT

(a) IN GENERAL.—

``(1) AMENDMENT TO TITLE 31.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

``5333. Safe harbor with respect to open requests.

``(a) IN GENERAL.—With respect to a customer account or customer transaction of a financial institution, if a Federal law enforcement agency with the acknowledgment of the Federal functional regulators, the Federal Deposit Insurance Act (12 U.S.C. 1861).''
the financial institution a written request that the financial institution keep that account or transaction open (referred to in this section as a ‘keep open request’).

‘(1) a financial institution shall not be liable under this subchapter for maintaining that account or transaction consistent with the parameters and timing of the request; and

‘(2) no Federal or State department or agency may take any adverse supervisory action under this subchapter with respect to the financial institution solely for maintaining that account or transaction consistent with the parameters of the request.

‘(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to:

‘(1) to prevent a Federal or State department or agency from verifying the validity of a keep open request submitted under subsection (a) with the law enforcement agency submitting that request;

‘(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

‘(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

‘(A) before the date of the keep open request to maintain a customer account; or

‘(B) after the termination date stated in the keep open request.

‘(c) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

‘(d) any reference to a financial institution—

‘(1) to prevent a Federal or State department or agency from verifying the validity of a keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply;

‘(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

‘(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

‘(A) before the date of the keep open request to maintain a customer account; or

‘(B) after the termination date stated in the keep open request.

‘(d) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request—

‘(1) to prevent a Federal or State department or agency from verifying the validity of a keep open request submitted under subsection (a) with the law enforcement agency submitting that request;

‘(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

‘(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

‘(A) before the date of the keep open request to maintain a customer account; or

‘(B) after the termination date stated in the keep open request.

‘(d) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

‘(e) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

‘(1) submit to FinCEN a copy of the request; and

‘(2) alert FinCEN as to whether the financial institution has implemented the request.

‘(f) GUIDANCE.—The Secretary of the Treasury, in consultation with the Attorney General and Federal, State, Tribal, and local law enforcement agencies, shall issue guidance on the required elements of a keep open request.

SEC. 5306. TRAINING FOR EXAMINERS ON ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM.

(a) TRAINING REQUIREMENT.—Each Federal examiner reviewing compliance with the Bank Secrecy Act, as defined in section 5063 of the Anti-Money Laundering Act of 2020, shall attend appropriate annual training, as determined by the Secretary of the Treasury, relating to anti-money laundering activities and countering the financing of terrorism, including with respect to—

‘(1) to prevent a Federal or State department or agency from verifying the validity of a keep open request submitted under subsection (a) with the law enforcement agency submitting that request;

‘(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

‘(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

‘(A) before the date of the keep open request to maintain a customer account; or

‘(B) after the termination date stated in the keep open request.

‘(d) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

‘(e) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

‘(1) submit to FinCEN a copy of the request; and

‘(2) alert FinCEN as to whether the financial institution has implemented the request.

‘(f) GUIDANCE.—The Secretary of the Treasury, in consultation with the Attorney General and Federal, State, Tribal, and local law enforcement agencies, shall issue guidance on the required elements of a keep open request.

SEC. 5307. OBTAINING FOREIGN BANK RECORDS FROM BANKS WITH UNITED STATES CORRESPONDENT ACCOUNTS.

(a) GRAND JURY AND TRIAL SUBPOENAS.—

‘(1) in paragraph (1)—

‘(A) by redesignating subparagraph (B) as subparagraph (C); and

(b) by inserting after subparagraph (A) the following:

‘(B) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

‘(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

‘(A) before the date of the keep open request to maintain a customer account; or

‘(B) after the termination date stated in the keep open request.

‘(d) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

‘(e) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

‘(1) submit to FinCEN a copy of the request; and

‘(2) alert FinCEN as to whether the financial institution has implemented the request.

‘(f) GUIDANCE.—The Secretary of the Treasury, in consultation with the Attorney General and Federal, State, Tribal, and local law enforcement agencies, shall issue guidance on the required elements of a keep open request.

SEC. 5308. RECORD KEEPING.—Any Federal, State, Tribal, and local law enforcement agency from verifying the validity of a keep open request submitted under subsection (a) with the law enforcement agency submitting that request; and

‘(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

‘(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

‘(A) before the date of the keep open request to maintain a customer account; or

‘(B) after the termination date stated in the keep open request.

‘(d) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

‘(e) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

‘(1) submit to FinCEN a copy of the request; and

‘(2) alert FinCEN as to whether the financial institution has implemented the request.

‘(f) GUIDANCE.—The Secretary of the Treasury, in consultation with the Attorney General and Federal, State, Tribal, and local law enforcement agencies, shall issue guidance on the required elements of a keep open request.

SEC. 5309. TRAINING FOR EXAMINERS ON ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM.

(a) TRAINING REQUIREMENT.—Each Federal examiner reviewing compliance with the Bank Secrecy Act, as defined in section 5063 of the Anti-Money Laundering Act of 2020, shall attend appropriate annual training, as determined by the Secretary of the Treasury, relating to anti-money laundering activities and countering the financing of terrorism, including with respect to—

‘(1) potential risk profiles and warning signs that an examiner may encounter during examinations;

‘(2) financial crime patterns and trends; and

‘(3) the adverse effects for why anti-money laundering and countering the financing of terrorism programs are necessary for law enforcement agencies and other national security agencies.

‘(a) TRAINING MATERIALS AND STANDARDS.—The Secretary of the Treasury shall, in consultation with the Federal Financial Institutions Examination Council, the Financial Crimes Enforcement Network, and Federal, State, Tribal, and local law enforcement agencies, establish appropriate training materials and standards for use in the training required under subsection (a).

‘(b) CLERICAL AMENDMENT.—The table of sections for chapter 53 of title 31, United States Code, as amended by section 5308(b)(1) of this division, is amended by adding at the end the following:

‘5334. Training regarding anti-money laundering and countering the financing of terrorism.''

SEC. 5307. OBTAINING FOREIGN BANK RECORDS FROM BANKS WITH UNITED STATES CORRESPONDENT ACCOUNTS.

(a) GRAND JURY AND TRIAL SUBPOENAS.—

‘(1) in paragraph (1)—

‘(A) by redesignating subparagraph (B) as subparagraph (C); and

(b) by inserting after subparagraph (A) the following:

‘(B) after the termination date stated in the keep open request.

‘(d) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

‘(e) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

‘(1) submit to FinCEN a copy of the request; and

‘(2) alert FinCEN as to whether the financial institution has implemented the request.

‘(f) GUIDANCE.—The Secretary of the Treasury, in consultation with the Attorney General and Federal, State, Tribal, and local law enforcement agencies, shall issue guidance on the required elements of a keep open request.

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‘(1) potential risk profiles and warning signs that an examiner may encounter during examinations;

‘(2) financial crime patterns and trends; and

‘(3) the adverse effects for why anti-money laundering and countering the financing of terrorism programs are necessary for law enforcement agencies and other national security agencies.

‘(a) TRAINING MATERIALS AND STANDARDS.—The Secretary of the Treasury shall, in consultation with the Federal Financial Institutions Examination Council, the Financial Crimes Enforcement Network, and
“(II) CONFLICT WITH FOREIGN SECRETARY OR CONFIDENTIALITY.—An assertion that compliance with a subpoena described in clause (i) would conflict with a provision of foreign secrecy or confidentiality law shall not be prima facie grounds for quashing or modifying the subpoena.

“(B) ACCEPTANCE OF SERVICE.—(i) MAINTAINING RECORDS IN THE UNITED STATES.—Any covered financial institution that maintains a correspondent account in the United States for a foreign bank shall maintain records in the United States identifying—

“(I) the owners of record and the beneficial owner of the foreign bank; and

“(II) the name and address of a person who—

“(aa) resides in the United States; and

“(bb) is authorized to accept service of legal process for records covered under this subsection.

“(ii) LAW ENFORCEMENT REQUEST.—Upon receipt of a written request from a Federal law enforcement officer for information required to be maintained under this paragraph, a covered financial institution shall provide the information to the requesting officer not later than 7 days after receipt of the request.

“(C) NONDISCLOSURE OF SUBPOENA.—(i) IN GENERAL.—No officer, director, partner, employee, or attorney for, a foreign bank on which a subpoena is served under this paragraph shall, directly or indirectly, notify any account holder involved or any person named in the subpoena or the existence or contents of the subpoena.

“(ii) DAMAGES.—Upon application by the Attorney General for a violation of this subparagraph a foreign bank may be seized by the United States to satisfy any civil penalties that are imposed—

“(I) under subparagraph (C)(i); or

“(II) by a court for contempt under subparagraph (D).

“(D) ENFORCEMENT.—(i) IN GENERAL.—If a foreign bank fails to obey a subpoena issued under subparagraph (A)(i), the Attorney General may invoke the Bank Secrecy Act (15 U.S.C. 1601 et seq.) and serve on the foreign bank about the existence or contents of the subpoena.

“(ii) DAMAGES.—If a covered financial institution fails to terminate a correspondent relationship under this subparagraph a civil penalty in an amount equal to—

“(I) double the amount of the suspected criminal proceeds sent through the correspondent account of the foreign bank in the related investigation; or

“(II) if no such proceeds can be identified, not more than $250,000.

“(E) ENFORCEMENT.—(i) IN GENERAL.—If a foreign bank fails to obey a subpoena issued under subparagraph (A)(i), the Attorney General may invoke the aid of the district court of the United States for the judicial district in which the investigation or related proceeding is occurring to compel compliance with the subpoena.

“(ii) COURT ORDERS AND COMPTrollership.—A court described in clause (i) may—

“(1) enjoin or direct a covered financial institution to appear before the Secretary of the Treasury or the Attorney General to produce—

“(aa) certified records, in accordance with—

“1. Section 5305 of title 18; or

“2. testimony regarding the production of the certified records; and

“(2) punish any failure to obey an order issued under subsection (l) as contempt of court.

“(iii) SERVICE OF PROCESS.—All process in a case under this subparagraph shall be served in the same manner as described in subparagraph (A)(iii).

“(E) TERMINATION OF CORRESPONDENT RELATIONSHIP.—(i) TERMINATION UPON RECEIPT OF NOTICE.—A covered financial institution shall terminate any correspondent relationship with a foreign bank not later than 10 business days after the covered financial institution receives written notice from the Secretary of the Treasury or the Attorney General if, after consultation with the other, the Secretary of the Treasury or the Attorney General, as applicable, determines that the foreign bank has failed—

“(1) to comply with a subpoena issued under subparagraph (A)(l); or

“(2) to prevail in proceedings before—

“(aa) the appropriate district court of the United States for a foreign bank described in subparagraph (A)(I); or

“(bb) a court of appeals of the United States after appealing a decision of a district court of the United States under item (aa).

“(ii) LIMITATION ON LIABILITY.—A covered financial institution shall not be liable to any person in any court or arbitration proceeding for—

“(I) terminating a correspondent relationship under this subparagraph; or

“(II) complying with a nondisclosure order under subparagraph (C).

“(F) FAILURE TO TERMINATE RELATIONSHIP.—A covered financial institution that fails to terminate a correspondent relationship under clause (i) shall be liable for a civil penalty in an amount that is not more than $25,000 for each day that the covered financial institution fails to terminate the relationship.

“(G) ENFORCEMENT OF CIVIL PENALTIES.—Upon application by the United States, any funds held in an account of a foreign bank that is maintained in the United States with a covered financial institution may be seized by the United States to satisfy any civil penalties that are imposed—

“(I) under subparagraph (C)(i); or

“(II) by a court for contempt under subparagraph (D).

“(H) FAIR CREDIT REPORTING ACT AMENDMENT.—Section 609(a)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(1)) is amended by striking—

“(1) by striking “, or a” inserting “, a”; and

“(2) by inserting “, or a subpoena issued in accordance with section 5318 of title 31, United States Code, or section 3486 of title 18, United States Code” after “grand jury’’.

“(I) OBSTRUCTION OF JUSTICE.—Section 1519(b)(3)(B) of title 18, United States Code, is amended—

“(1) in the matter preceding clause (l), by striking “or a Department of Justice subpoena issued under section 3486 of title 18’’ and inserting “, a subpoena issued under section 3486 of this title, or an order or subpoena issued in accordance with section 3512 of this title, section 5318 of title 31, or section 1782 of title 28”;

“(2) in clause (l), by inserting “, 1960, an offense against a foreign nation constituting unspecified unlawful activity under section 1956, a foreign offense for which enforcement of a foreign forfeiture judgment could be coerced under section 2467 of title 28 after 1957’’.


“(1) by striking “or 1957 of title 18” and inserting “, 1957, or 1960 of title 18, United States Code’’; and

“(2) by striking “and 5324 of title 31” and inserting “, 5322, 5324, 5331, and 5332 of title 31, United States Code’’.

“SEC. 5308. ADDITIONAL DAMAGES FOR REPEAT BANK SECRET ACT VIOLATORS. Section 5321 of title 31, United States Code, is amended by adding at the end the following:

“[O]f ADDITIONAL DAMAGES FOR REPEAT VIOLATORS.—In addition to any other fines permitted under this section the committee, with respect to a person who has previously violated a provision of (or rule issued under this subchapter, section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1839b), or section 123 of Public Law 91–508 (12 U.S.C. 1953), the Secretary of the Treasury, if practicable, is authorized to determine and impose a civil penalty against such person for each additional such violation in an amount that is not more than the greater of—

“(1) a criminal violation and 2 times the profit gained or loss avoided by such person as a result of the violation; or

“(2) 2 times the maximum penalty with respect to the violation.

“SEC. 5309. CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS. (a) IN GENERAL.—Section 5321 of title 31, United States Code, as amended by section 5308 of this division, is amended by adding at the end the following:

“[G]ETAL VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.—(1) DEFINITION.—In this subsection, the term ‘egregious violation’ means, with respect to an individual—

“(A) a criminal violation—

“(I) for which the individual is convicted; and

“(II) for which the maximum term of imprisonment is more than 1 year; and

“(B) a civil violation—

“(i) for which the individual willfully committed the violation; and

“(ii) the violation facilitated money laundering or terrorism.

“(2) BAR.—An individual found to have committed an egregious violation of the Bank Secrecy Act, as defined in section 5003 of the Money-Merchandising Act of 2020, or any rules issued under the Bank Secrecy Act, shall be barred from serving on the board of directors of a United States financial institution during the 10-year period that begins on the date on which the conviction or judgment, as applicable, with respect to the egregious violation is entered.

“RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) shall be construed to limit the application of section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829).

“SEC. 5310. DEPARTMENT OF JUSTICE REPORT ON DEFERRED AND NON-PROSECUTION AGREEMENTS. (a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and for each of the 4 years thereafter, the Attorney General shall submit to the appropriate committees of Congress a report that contains—

“(1) a list of deferred prosecution agreements and non-prosecution agreements that the Attorney General has entered into during the year covered by the report with any person with respect to a violation or suspended violation of the Bank Secrecy Act (referred to in this subsection as ‘‘covered agreements’’);

“(2) the justification for entering into each covered agreement;

“(3) the list of factors that were taken into account in determining that the Attorney General should enter into each covered agreement; and

“(4) the extent of coordination the Attorney General has entered into during the year covered by the report with other Federal, State, and local law enforcement or regulatory agencies.

“CLASSIFIED ANNEX.—Each report submitted under subsection (a) may include a classified annex.

“DEFINITION.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Banking, Housing, and Urban Affairs of the Senate;
SEC. 5311. RETURN OF PROFITS AND BONUSES.
(a) In General.—Section 5322 of title 31, United States Code, as amended by adding at the end the following:

"(e) A person convicted of violating a provision of (or rule issued under) the Secretary of the Treasury Act, as defined in section 5003 of the Anti-Money Laundering Act of 2020, shall—

(1) in addition to any other fine under this subchapter or subchapter III, be imprisoned for not more than 10 years, fined not more than $1,000,000, or both.

(2) CIVIL FORFEITURE.—

"(A) In General.—The court, in imposing a sentence under subsection (d), shall order that the assets involved in the offense are forfeited to the United States any property involved in the offense and any property traceable thereto.

(B) Procedure.—

(i) does not include any transaction necessary to preserve the right to representation of a person as guaranteed by the Sixth Amendment to the Constitution of the United States; and

(ii) any victim compensation payment.

(4) ORIGINAL INFORMATION.—The term 'original information' means information that—

(A) is derived from the independent knowledge or analysis of a whistleblower;

(B) is not known to the Secretary or the Attorney General from any other source, unless the whistleblower is the original source of the information; and

(C) is not exclusively derived from an allegation made in a judicial or administrative hearing, in a governmental report, hearing, audit, or investigation, or from the news media, unless the whistleblower is a source of the information.

SEC. 5312. PROHIBITION ON CONCEALMENT OF THE SOURCE OF ASSETS IN MONETARY TRANSACTIONS.
(a) In General.—Subchapter II of chapter 53 of title 31, United States Code, as amended by sections 3306(a)(1) and 3306(a) of this division, is amended by adding at the end the following:

"§ 5335. Prohibition on concealment of the source of assets in monetary transactions—

(a) Definition of Monetary Transaction.—In this section, the term 'monetary transaction' means the deposit, withdrawal, transfer, or exchange, in or affecting interstate or foreign commerce, of funds or a monetary instrument (as defined in section 1956(c)(5) of title 18) by, through, or to a financial institution (as defined in section 1956(c)(6) of title 18).

(b) Prohibition.—No person shall knowingly conceal, falsify, or misrepresent, or attempt to conceal, falsify, or misrepresent, from or to a financial institution, a material fact concerning the ownership or control of assets involved in a monetary transaction if—

(1) the person or entity who owns or controls the assets is a senior foreign political figure, or any immediate family member or close associate of a senior foreign political figure, as set forth in this title or the regulations promulgated under this title; and

(2) the aggregate value of the assets involved in one or more monetary transactions is not less than $1,000,000.

(c) Source of Funds.—No person shall knowingly conceal, falsify, or misrepresent, or attempt to conceal, falsify, or misrepresent, from or to a financial institution, a material fact concerning the source of funds in a monetary transaction that—

(1) involves an entity found to be a primary money laundering concern under section 5318A or the regulations promulgated under this title; and

(2) violates the prohibitions or conditions prescribed under section 5318A(b)(5) or the regulations promulgated under this title.

(d) Penalties.—A person convicted of an offense under subsection (b) or (c), or a conspiracy to commit an offense under subsection (b) or (c), shall be imprisoned for not more than 10 years, fined not more than $1,000,000, or both.

"(e) forfeiture.—

(C) the aggregate value of the assets involved in a monetary transaction under section 5318A or the regulations promulgated under this title; and

(D) the aggregate value of the assets involved in a monetary transaction under section 5318A or the regulations promulgated under this title; and

(2) SEC. 5313. UPDATING WHISTLEBLOWER INCENTIVES AND PROTECTION.
(a) Whistleblower Incentives and Protection.—

(1) In General.—Section 5323 of title 31, United States Code, as amended to read as follows:

"§ 5323. Whistleblower incentives and protections—

(1) Definitions.—In this section:

(A) Covered Judicial or Administrative Action.—The term 'covered judicial action' means any judicial or administrative action brought by the Secretary of the Treasury (referred to in this section as the Secretary) or the Attorney General under subchapter II or subchapter III that results in monetary sanctions exceeding $1,000,000.

(B) Fund.—The term 'fund' means the Anti-Money Laundering and Countering Terrorism Financing Fund established under subsection (f).

(2) Monetary Sanctions.—The term 'monetary sanctions' means any monetary penalties, disgorgement, and interest, ordered to be paid; and

(3) Distribution.—The Secretary, in consultation with the Attorney General, shall perform the following:

(A) is derived from the independent knowledge or analysis of a whistleblower;

(B) is not known to the Secretary or the Attorney General from any other source, unless the whistleblower is the original source of the information; and

(C) is not exclusively derived from an allegation made in a judicial or administrative hearing, in a governmental report, hearing, audit, or investigation, or from the news media, unless the whistleblower is a source of the information.

(i) do not include—

(A) A Whistleblower.—

"(A) In General.—The term 'whistleblower' means any individual who provides, or 2 or more individuals acting jointly who provide, initial information to the Secretary, which is based upon original information provided to the Secretary, in a manner established, by rule or regulation, by the Secretary, and from which the Secretary or the Attorney General, as applicable, take, an action described in subsection (b)(1)(A).

(B) Awards.—In any covered judicial or administrative action, or related action, the Secretary, if in consultation with the Attorney General, shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to the Secretary, in a manner established, by rule or regulation, the Secretary, in consultation with the Attorney General, as applicable, that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to—

(1) not less than 10 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions; and

(2) not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions.

"(2) Payment of Awards.—Any amount paid under paragraph (1) shall be paid from the Fund.

"(3) Determination of Amount of Award.—

(A) Discretion.—The determination of the amount of an award made under subsection (b) shall be in the discretion of the Secretary.

(B) Criteria.—In determining the amount of an award made under subsection (b), the Secretary—

(i) shall take into consideration—

(A) the significance of the information provided by the whistleblower to the success of the covered judicial or administrative action; and

(B) the degree of assistance provided by the whistleblower to the success of the covered judicial or administrative action;
(III) the programmatic interest of the Department of the Treasury in deterring violations of this subchapter and subchapter III by making awards to whistleblowers who provide information to the Secretary that lead to the successful enforcement of either such subchapter; and
(IV) such additional relevant factors as the Secretary, in consultation with the Attorney General, may establish by rule or regulation; and
(ii) shall not take into consideration the balance of the Fund, or an award under subsection (b).

(2) DENIAL OF AWARD.—No award under subsection (b) may be made—
(A) to any whistleblower who is, or was at any time the whistleblower acquired the original information submitted to the Secretary or the Attorney General, as applicable, a member, officer, or employee of—
(i) an appropriate regulatory agency;
(ii) the Department of the Treasury or the Department of Justice; or
(iii) a law enforcement agency;
(B) to any whistleblower who is convicted of a criminal violation related to the judicial or administrative action for which the whistleblower otherwise could receive an award under this section;
(C) to any whistleblower who fails to submit information to the Secretary or the Attorney General, as applicable, in such form as the Secretary determines is necessary to enable the Attorney General, may, by rule, require.

(d) REPRESENTATION.—
(1) PERMITTED REPRESENTATION.—Any whistleblower who makes a claim for an award under subsection (b) may be represented by counsel.
(2) REQUIRED REPRESENTATION.—
(A) IN GENERAL.—Any whistleblower who anonymously makes a claim for an award under subsection (b) shall be represented by counsel if the whistleblower anonymously submitted the information upon which the claim is based.
(B) DISCLOSURE OF IDENTITY.—Before the payment of an award, a whistleblower shall disclose the identity of the whistleblower and provide such other information as the Secretary may require, directly or through counsel for the whistleblower.
(c) DISCLOSURE OF INFORMATION.—No contract with the Department of the Treasury is necessary for any whistleblower to receive an award under subsection (b), unless otherwise required by the Secretary by rule or regulation.

(f) APPEALS.—
(1) IN GENERAL.—Any determination made under this section, including whether, to whom, or in what amount to make awards, shall be in the discretion of the Secretary.

(g) ANTI-MONEY LAUNDERING AND COUNTER-TERROISM FINANCING FUND.—
(1) FUND ESTABLISHED.—There is established in the Treasury of the United States a fund to be known as the ‘Anti-Money Laundering and Counter-Terrorism Financing Fund’.

(2) USE OF FUND.—The Fund shall be available to the Secretary, without further appropriation or fiscal year limitation, for paying awards to whistleblowers as provided in subsection (b).

(3) DEPOSITS AND CREDITS.—
(A) IN GENERAL.—There shall be deposited into or credited to the Fund an amount equal to—
(i) any monetary sanction collected by the Secretary or the Attorney General in any judicial or administrative action brought by the applicable such official under this subchapter or subchapter III; and
(ii) all income from investments made under paragraph (4) during the preceding fiscal year;
(B) ADDITIONAL AMOUNTS.—If the amounts deposited into or credited to the Fund under subparagraph (A) are not sufficient to satisfy an award under subsection (b), there shall be deposited into or credited to the Fund an amount equal to the unsatisfied portion of the award from any monetary sanction collected by the Secretary or the Attorney General, as applicable, in the covered judicial or administrative action on which the award is based.

(4) INVESTMENTS.—
(A) AMOUNTS IN FUND MAY BE INVESTED.—The Secretary may invest the portion of the Fund that is not, in the discretion of the Secretary, required to meet the current needs of the Fund.
(C) INVESTMENTS.—Investments shall be made by the Secretary in obligations of the United States or obligations that are guaranteed as to principal and interest by the United States, with maturities suitable to the needs of the Fund, as determined by the Secretary.

(5) INTEREST AND PROCEEDS CREDITED.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to the Fund.

(h) PROTECTION OF WHISTLEBLOWERS.—
(1) PROHIBITION AGAINST RETALIATION.—No employer may, directly or indirectly, discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a whistleblower otherwise could receive an award under paragraph (4) due to the bad faith of the claimant, bring an action against the employer at law or in equity in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

(2) PROCEDURE.—
(A) DEPARTMENT OF LABOR COMPLAINT.—
(i) IN GENERAL.—Except as provided in clause (i) and subparagraph (C), the requirements under section 4221(b) of title 49, including the legal burdens of proof described in such section 4221(b), shall apply with respect to a complaint filed under paragraph (A) by an individual against an employer.
(ii) EXCEPTION.—With respect to a complaint filed under paragraph (A), notification required to be issued a final decision within 180 days of filing of a complaint under subparagraph (A), and there is no showing that such a delay is due to the bad faith of the claimant, bring an action against the employer at law or in equity in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

(B) DISTRICT COURT COMPLAINT.—
(i) JURY TRIAL.—A party to an action brought under paragraph (2)(B) shall be entitled to trial by jury.
(ii) STATUTE OF LIMITATIONS.—

(1) IN GENERAL.—An action may not be brought under paragraph (2)(B)—
(a) more than 6 years after the date on which the violation of paragraph (1) occurs; or
(b) more than 3 years after the date on which facts material to the right of action were known, or reasonably should have been known, by the employee alleging a violation of paragraph (1).

(2) REQUIRED ACTION WITHIN 10 YEARS.—No action arising under paragraph (2)(B) may not in any circumstance be brought more than 10 years after the date on which the violation occurs.

 ij) Relief.—Relief under paragraph (1) or paragraph (2)(B) shall be limited to the claims on which the complaint is based.

(j) REPRESENTATION.—
(i) IN GENERAL.—Any determination made under subsection (b) may not in any circumstance be brought more than 10 years after the date on which the violation occurs.
but for the conduct that is the subject of the complaint or action, as applicable;

(ii) 2 times the amount of back pay otherwise owed to the individual, with interest;

(iii) reasonable costs of compliance, attorney fees, and expert witness fees, and reasonable attorneys' fees; and

(iv) if the violation of an appropriate remedy with respect to the conduct that is the subject of the complaint or action, as applicable.

(4) CONFIDENTIALITY.

(A) IN GENERAL.—Except as provided in subparagraphs (C) and (D), the Secretary or the Attorney General, as applicable, and any officer or employee of the Department of the Treasury, the Department of Justice, shall not disclose any information, including information provided by a whistleblower to either such official, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, unless and until required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the appropriate official or any entity described in subparagraph (D).

(B) UNCLASSIFIED STATUTE.—For purposes of section 552a of title 5, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552a.

(C) INFORMATION PROTECTION.—Nothing in this section is intended to limit, or shall be construed to limit, the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.

(D) AVAILABILITY TO GOVERNMENT AGENCIES.—

(1) IN GENERAL.—Without the loss of its status as confidential in the hands of the Secretary or the Attorney General, as applicable, or the information referred to in subparagraph (A) may, in the discretion of the appropriate official, when determined by that official to be necessary to accomplish the purposes of this subchapter, be made available to—

(I) any appropriate Federal authority;

(II) a State attorney general in connection with any criminal investigation;

(III) any appropriate State regulatory authority; and

(IV) a foreign law enforcement authority.

(ii) CONFIDENTIALITY.—

(1) IN GENERAL.—Each of the entities described in clause (I) through (III) of clause (i) shall maintain such information as confidential in accordance with the requirements established under subparagraph (A).

(2) FOREIGN AUTHORITIES.—Each entity described in clause (i)(IV) shall maintain such information in accordance with such assurances of confidentiality as determined by the Secretary or Attorney General, as applicable.

(5) RIGHTS RETAINED.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any whistleblower under any other Federal law or under any collective bargaining agreement.

(6) COORDINATION WITH OTHER PROVISIONS OF LAW.—This subsection shall not apply with respect to a Federal law that is subject to section 33 of the Federal Deposit Insurance Act (12 U.S.C. 1831i) or section 213 or 214 of the Federal Credit Union Act (12 U.S.C. 1750h, 1750l).

(7) PROVISION OF FALSE INFORMATION.—A whistleblower shall not be entitled to an award under this section if the whistleblower—

(i) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

(ii) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

(8) RULEMAKING AUTHORITY.—The Secretary, in consultation with the Attorney General, shall have the authority to issue such rules and regulations as may be necessary or appropriate to implement the purposes of this section.

(9) NONENFORCEMENT OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

(i) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies in this section may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

(ii) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the aggregate fees, costs, damages, and other damages, which shall include compensation for reasonable attorneys’ fees and expert witness fees, and reasonable attorneys’ fees, and reasonable attorneys’ fees, and

(iii) any other appropriate remedy with respect to the conduct that is the subject of the complaint or action, as applicable.

(10) RIGHTS RETAINED.—Nothing in this section is intended to limit, or shall be construed to limit, the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.

(b) REPEAL OF SECTION 5232 OF TITLE 31.—

Section 5232 of title 31, United States Code, is repealed.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The tables of sections for subchapter II of chapter 53 of title 31, United States Code, are amended by striking the item relating to section 5232 and inserting the following:

‘‘§ 5323. Whistleblower incentives and protections.’’

(d) Whistleblower—

(1) by striking the item relating to section 5232;

(2) TITLE IV—ESTABLISHING BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS

SEC. 5401. FINDINGS.

Congress finds the following:

(1) More than 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Most or all States do not require information about the beneficial owners of the corporations, limited liability companies, or other similar entities formed under the laws of the States.

(3) Malign actors seek to conceal their ownership of corporations, limited liability companies, or other similar entities in the United States.

(4) Money launderers and others involved in commercial activity intentionally conduct transactions through corporate structures to evade law enforcement, and money launderers, to launder money, and launderers, to launder money, and

(5) National security, intelligence, and law enforcement investigations have been consistently impeded by an inability to reliably identify and properly investigating the individuals who ultimately own corporations, limited liability companies, other similar entities suspected of engaging in illicit activity, to enumerate matters, and

(6) According to the 2020 National Strategy for Combating Terrorist and other Illicit Financial Action, issued by the Department of the Treasury, ‘‘Misuse of legal entities to hide a criminal beneficial owner or illegal source of funds continues to be a common, if not the dominant, feature of illicit finance schemes, especially those involving money laundering, predicate offenses, tax evasion, and proliferation financing.’’

(7) Federal legislation providing for the collection of beneficial ownership information for corporations, limited liability companies, or other similar entities formed under the laws of the States to—

(A) set a clear, Federal standard for incorporation practices;

(B) protect vital United States national security interests;

(C) protect interstate and foreign commerce;

(D) better enable critical national security, intelligence, and law enforcement efforts to counter money laundering, the financing of terrorism, and other illicit activities; and

(2) bring the United States into compliance with international anti-money laundering and countering the financing of terrorism standards.

SENATE SENSE OF CONGRESS.

It is the sense of Congress that—

(1) beneficial ownership information collected under the amendments made by this title is sensitive information and will be directly available only to authorized government authorities, subject to effective safeguards and controls, to—

(A) facilitate important national security, intelligence, and law enforcement activities; and

(B) confirm beneficial ownership information provided to financial institutions to facilitate the compliance of the institutions with customer due-diligence requirements under applicable law;

(C) consistent with applicable law, the Secretary of the Treasury shall—

(A) maintain the information described in paragraph (1) in a secure, nonpublic database using information technologies and methods that are appropriate to protect nonclassified information systems at the highest security level; and

(D) take all steps, including regular auditing, to ensure that government authorities accessing beneficial ownership information
do so only for authorized purposes consistent with this section; and
(3) in prescribing regulations to provide for the reporting of beneficial ownership information, such regulations shall, to the greatest extent practicable consistent with the purposes of this title:
(A) seek to minimize burdens on reporting companies or other entities with the collection of beneficial ownership information;
(B) provide clarity to reporting companies concerning the identification of their beneficial ownership;
(C) collect information in a form and manner that is reasonably designed to generate a database that is usable by national security interests of the United States, agencies, and Federal functional regulators.

SEC. 5403. Beneficial ownership information reporting requirements.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, as amended by sections 5305(a)(1), 5306(a), and 5313(a) of this division, is amended by adding at the end the following:

"§5336. Beneficial ownership information reporting requirements

"(a) DEFINITIONS.—In this section:

"(1) ACCEPTABLE IDENTIFICATION DOCUMENT.—The term ‘acceptable identification document’ means, with respect to an individual—

"(A) a nonexpired passport issued by the United States;

"(B) a nonexpired identification document issued by a State, local government, or Indian Tribe to the individual for the purpose of identification of that individual;

"(C) a nonexpired driver’s license issued by a State;

"(D) the individual does not have a document described in subparagraph (A), (B), or (C), a nonexpired passport issued by a foreign government;

"(2) APPLICANT.—The term ‘applicant’ means any individual who—

"(A) files an application to form a corporation, limited liability company, or other similar entity under the laws of a State or Indian Tribe;

"(B) registers a corporation, limited liability company, or other similar entity formed under the law of a foreign country and registered to do business in a State by filing a document with the secretary of state or similar office under the law of the State;

"(C) has been identified by the applicable investment adviser in its Form ADV (or successor form) filed with the Security and Exchange Commission.

"(11) REPORTING COMPANY.—The term ‘reporting company’ means—

"(A) a corporation, limited liability company, or other similar entity that is—

"(i) created by the filing of a document with a secretary of state or similar office under the law of a State or Indian Tribe; or

"(ii) formed under the law of a foreign country and registered to do business in a State by filing a document with a secretary of state or similar office under the law of the State; and

"(B) does not include—

"(i) an issuer—

"(I) of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l); or

"(II) that is required to file supplementary and periodic information under section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o); or

"(ii) an entity—

"(I) established under the laws of the United States, an Indian Tribe, a State, or a political subdivision of a State, or under an interstate compact between 2 or more States; and

"(II) that exercises governmental authority on behalf of the United States, an Indian Tribe, State, or political subdivision of a State; or

"(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

"(iv) a Federal credit union or a State credit union (as those terms are defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1781));

"(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1934 (12 U.S.C. 1841)), or a savings and loan holding company (as defined in section 10(a)(2) of the Home Owners’ Loan Act (12 U.S.C. 1467a));

"(vi) a money transmitting business registered with the Secretary of the Treasury under section 1551 of title 31, United States Code;

"(vii) a broker or dealer (as those terms are defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)); or

"(viii) an exchange or clearing agency (as those terms are defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c));

"(ix) any corporation, limited liability company, or other similar entity—

"(I) that exercises governmental authority on behalf of the United States, an Indian Tribe, State, or political subdivision of a State; or

"(II) that is registered under section 15 of that Act (15 U.S.C. 78p);


"(xi) a nonfederally insured financial institution (as defined in section 3(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.)); and

"(xii) any other entity or information described in clause (i), (vii), (viii), or (ix) that is registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.);

"(xiii) any person that—

"(I) is an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a));

"(II) is registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.), or

"(III) is a registered investment adviser (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a-2)); and

"(xv) a beneficial owner—

"(I) described in section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3), and

"(II) that has filed the records required by the Securities and Exchange Commission;

"(xvi) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a-2));

"(xvii)(I) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1)); or

"(II) a person that is—

"(aa)(A) a futures commission merchant, introducing broker, swap dealer, major swap participant, commodity pool operator, or commodity trading advisor (as those terms are defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1)); or

"(bb) registered with the Commodity Futures Trading Commission under the Commodity Exchange Act (7 U.S.C. 1); and

"(xviii) any pool investment vehicle that is operated or advised by a person described in clause (ii), (iv), (v), (vi), (ix), (x), or (xii); and

"(xix) any—

"(I) organization which is described in section 501(c) of the Internal Revenue Code of 1986 (determined without regard to section 508(a) and exempt from tax under section 501(a) of such Code, except that in the case of any such organization which loses an exemption from tax, such organization shall be considered to be continued to be described in this subclause for the 180-day period beginning on the date of the loss of such tax-exempt status;

"(II) an exempt organization which is described in section 527 of the Internal Revenue Code of 1986 (determined without regard to section 527(a) of such Code) that is exempt from tax under section 527(a) of such Code; or

"(III) trust described in paragraph (1) or (2) of section 1941 of the Internal Revenue Code of 1986 (determined without regard to subsection (c) of such section) that is described in clause (xviii); and

"(IV) any other entity described in clause (xviii); and

"(II) is a United States person;
(III) is beneficially owned or controlled exclusively by 1 or more United States persons that are United States citizens or lawfully admitted for permanent residence; and

(iv) at least a majority of the funding or revenue, from 1 or more United States persons that are United States citizens or lawfully admitted for permanent residence;

(aa) any entity that—

(i) employs more than 20 employees on a full-time basis in the United States;

(ii) files income tax returns in the United States;

(iii) has a physical presence in the United States;

(iv) derives at least a majority of its receipts or sales—

(A) directly or indirectly, by 1 or more entities described in clause (i), (ii), (iii), or (iv); or

(B) directly or indirectly, by a foreign person;

(v) exceeds the receipts or sales of—

(A) any entity described in subsection (a)(11)(B)(xxii), but in no case later than 90 days after such date.

(B) any corporation, limited liability company, or other similar entity that is an exempt entity described in subsection (a)(11)(B)(xix), but in no case later than 90 days after such date.

(ivii) the Secretary of the Treasury, any reporting company that has been formed after the date on which there is a change in ownership, shall file—

(A) a report containing the information required under this subsection, including the updating requirements under subparagraph (D) and the information contained in the report;

(B) to the Attorney General and the Secretary of Homeland Security, a report delivered under paragraph (A) promptly after the date on which the entity no longer meets the criteria described in subsection (a)(11)(B)(xix), but in no case later than 90 days after such date.

(v) if an exempt entity described in subsection (a)(11)(B)(xix), shall, in accordance with regulations prescribed by the Secretary, submit to FinCEN a report containing the information required under subparagraph (A) promptly after the date on which the entity no longer meets the criteria described in subsection (a)(11)(B)(xix), but in no case later than 90 days after such date.

(B) REPORTING OF EXISTING ENTITIES.—In accordance with regulations prescribed by the Secretary of the Treasury, a reporting company shall, in a timely manner, and not later than 1 year after the date on which there is a change in ownership, submit to FinCEN a report that contains the information described in paragraph (2).

(C) REPORTING AT TIME OF FORMATION.—In accordance with regulations prescribed by the Secretary of the Treasury, any reporting company that has been formed after the effective date of the regulations prescribed under this subsection shall, at the time of formation, submit to FinCEN a report that contains the information described in paragraph (2).

(D) UPDATED REPORTING FOR CHANGES IN BENEFICIAL OWNERSHIP.—In accordance with regulations prescribed by the Secretary of the Treasury, a reporting company shall, in a timely manner, and not later than 1 year after the date on which there is a change in ownership, submit to FinCEN a report that updates the information relating to the change.

(E) TREASURY REVIEW OF UPDATED REPORTING FOR CHANGES IN BENEFICIAL OWNERSHIP.—The Secretary of the Treasury, in consultation with the Attorney General and the Secretary of Homeland Security, shall conduct a review of each updated report that updates the information described in paragraph (2), related to a change in ownership, within a shorter period of time than required under subsection (a)(11)(B)(xv), shall, in accordance with regulations prescribed by the Secretary, submit to FinCEN a report containing the information required under subparagraph (A).

(F) REGULATORY REQUIREMENTS.—In promulgating the regulations prescribed in subparagraph (A) through (D), the Secretary of the Treasury shall endeavor, to the greatest extent practicable—

(i) to facilitate the compliance of the institutions described in paragraph (2) with respect to an individual or an entity described in subparagraph (D); and

(ii) to establish partnerships with State, local, and Tribal governmental agencies.

(G) REPORTING REQUIREMENT FOR VOILED INVESTMENT VEHICLES.—Any corporation, limited liability company, or other similar entity that is an exempt entity described in subsection (a)(11)(B)(xix), shall, in accordance with regulations prescribed by the Secretary, submit to FinCEN a report containing the information required under subparagraph (A) promptly after the date on which the entity no longer meets the criteria described in subsection (a)(11)(B)(xix), but in no case later than 90 days after such date.

(H) REPORTING REQUIREMENT FOR GRANDFATHERED ENTITY.—In accordance with regulations prescribed by the Secretary, any reporting company, limited liability company, or other similar entity that is an exempt entity described in subsection (a)(11)(B)(xix), shall, in accordance with regulations prescribed by the Secretary, submit to FinCEN a report containing the information required under subparagraph (A) promptly after the date on which the entity no longer meets the criteria described in subsection (a)(11)(B)(xix), but in no case later than 90 days after such date.

(I) FINCEN IDENTIFIER.—(i) IN GENERAL.—Upon request by an individual who has provided FinCEN with the information described in paragraph (2) in a form and manner that ensures the information is highly useful in facilitating important national security, intelligence, and law enforcement activities; and

(ii) containing beneficial ownership information provided to financial institutions to facilitate the compliance of the institutions with anti-money laundering, countering the financing of terrorism, and anti-fraud requirements under applicable law.

(j) REQUIRED INFORMATION.—(i) IN GENERAL.—In accordance with regulations prescribed by the Secretary of the Treasury, a report delivered under paragraph (1) shall, except as provided in subparagraph (b), identify each beneficial owner of the applicable reporting company and each applicant with respect to that reporting company by—

(I) full legal name;

(ii) date of birth;

(iii) current, as of the date on which the report is delivered, residential or business street address; and

(iv) unique identifying number from an acceptable identification document; or

(ii) unique identifying number from an acceptable identification document; or

(k) USE OF FINCEN IDENTIFIER FOR INDIVIDUALS.—Any person required to report the information described in paragraph (2) in a form and manner consistent with subparagraph (D).
"(C) USE OF FINCEN IDENTIFIER FOR ENTITIES.—If an individual is or may be a beneficial owner of a reporting company by an interest held by the individual in an entity that, directly or indirectly, holds an interest in the reporting company, the reporting company may report the FinCEN identifier of the entity in lieu of providing the information described by the subparagraph (A) with respect to the individual.

"(4) REGULATIONS.—The Secretary of the Treasury shall—
"(A) prescribe regulations prescribe procedures and standards governing any report under paragraph (2) and any FinCEN identifier under paragraph (3); and
"(B) promulgate the regulations under subparagraph (A), endeavor, to the extent practicable, consistent with the purposes of this section—
"(i) to minimize burdens on reporting companies associated with the collection of beneficial ownership information; and
"(ii) to ensure the beneficial ownership information reported to FinCEN is accurate, complete, and highly useful.

"(5) EFFECTIVE DATE.—The requirements of this subsection shall take effect on the effective date of the regulations prescribed by the Secretary of the Treasury under this subsection, which shall not be later than 1 year after the date of enactment of this section.

"(6) DETECTION AND DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION BY FINCEN.—
"(1) RETENTION OF INFORMATION.—Beneficial ownership information required under subsection (b) relating to each reporting company shall be maintained by FinCEN.

"(2) DISCLOSURE.—
"(A) PROHIBITION.—Except as authorized by this subsection, beneficial ownership information information reported under this section shall be confidential and may not be disclosed—
"(i) an officer or employee of the United States;
"(ii) an officer or employee of any State, local, or Tribal agency;
"(iii) an officer or employee of any financial institution or regulatory agency receiving information under this subsection;
"(B) DISCLOSURE BY FINCEN.—FinCEN may disclose beneficial ownership information reported pursuant to this section only upon receipt of—
"(i) a request, through appropriate protocols—
"(I) from a Federal agency engaged in national security, intelligence, or law enforcement activity;
"(II) from a State, local, or Tribal law enforcement agency, if a court of competent jurisdiction has authorized the law enforcement agency to seek the information in a criminal or civil investigation;
"(II) a request from a Federal agency on behalf of a law enforcement agency of another country; or
"(aa) a request from a foreign central authority or competent authority (or like designation), under an international treaty, agreement, or convention;
"(BB) by the Secretary under paragraph (2)(A) that—
"(i) to the greatest extent practicable, update the information described in subsection (b) by working collaboratively with other relevant Federal, State, and Tribal agencies.

"(4) DEPARTMENT OF THE TREASURY ACCESS.—
"(A) IN GENERAL.—Beneficial ownership information shall be accessible for inspection by officials of the Department of the Treasury whose official duties require such inspection or disclosure subject to procedures and safeguards prescribed by the Secretary of the Treasury.

"(B) TAX ADMINISTRATION PURPOSES.—Officers and employees of the Department of the Treasury shall obtain access to beneficial ownership information for tax administration purposes in accordance with this subsection.

"(5) REJECTION OF REQUEST.—The Secretary of the Treasury shall—
"(A) shall reject a request not submitted in the form and manner prescribed by the Secretary under paragraph (2)(C); and
"(B) may decline to provide information requested under this subsection upon finding that—
"(i) the requesting agency has failed to meet any other requirement of this subsection;
"(ii) the information is being requested for an unlawful purpose; or
"(ii) the other good cause exists to deny the request.

"(6) SUSPENSION.—The Secretary of the Treasury may suspend or debar a request from a foreign central authority or competent authority from the Secretary of the Treasury conduct an annual audit to verify that the beneficial ownership information the Secretary of the Treasury shall maintain information security protections, including encryption, for information reported to FinCEN under subsection (b) and ensure that the protections—
"(A) are consistent with standards and guidelines developed under subchapter II of chapter 35 of title 44; and
"(B) incorporate Federal information system security controls for high-risk systems, excluding national security systems, consistent with applicable law to prevent the loss of confidentiality, integrity, or availability of information that may have a severe or catastrophic adverse effect.

"(7) VIOLATION OF PROTOCOLS.—Any employee or officer of a requesting agency subsection (b) that violates the protocols described in paragraph (5) shall be subject to criminal and civil penalties under subsection (h)(3)(B).

"(8) VIOLATION OF PROTOCOLS.—Any employee or officer of a requesting agency subsection (b) that violates the protocols described in paragraph (5) shall be subject to criminal and civil penalties under subsection (h)(3)(B).

"(D) AGENCY COORDINATION.—
"(1) IN GENERAL.—The Secretary of the Treasury shall, to the extent practicable, update the information described in subsection (b) by working collaboratively with other relevant Federal, State, and Tribal agencies.

"(2) INFORMATION FROM RELEVANT FEDERAL, STATE, AND TRIBAL AGENCIES.—Relevant Federal, State, and Tribal agencies, as determined by the Secretary of the Treasury, shall, to the extent practicable, and consistent with applicable legal protections, cooperate with and provide information requested by FinCEN for purposes of maintaining an accurate, complete, and highly useful database for beneficial ownership information.

"(3) REGULATIONS.—The Secretary of the Treasury, in consultation with the heads of other relevant Federal agencies, may promulgate regulations as necessary to carry out this subsection.

"(e) NOTIFICATION OF FEDERAL OBLIGATIONS.—
"(1) FEDERAL.—The Secretary of the Treasury shall take reasonable steps to provide notice to persons of their obligations to report beneficial ownership information under
this section, including by causing appropri-
ate informational materials describing such obligations to be included in 1 or more forms or other informational materials regu-
larly distributed by the Internal Revenue Service and FinCEN.

“(2) STATES AND INDIAN TRIBES.—

(A) IN GENERAL.—As a condition of the funds made available under this section, each State and Indian Tribe shall, not later than 2 years after the effective date of regu-
lations promulgated under subsection (b)(5), take the following actions:

“(i) The secretary of a State or a similar office in each State or Indian Tribe responsible for the establishment of entities created by the filing of a public document with the office under the law of the State or In-
dian Tribe shall periodically, including at the time of any initial formation or registra-
tion of an entity, assessment of an annual fee, or renewal of any license to do business in the State or Indian country and in con-
nection with State or Indian Tribe corporate tax assessments or renewals—

“(I) notify filers of their requirements as reporting companies under this section, in-
cluding the requirements to file and update reports on forms (B) and (D) of subsection (b)(1); and

“(II) provide the filers with a copy of the reporting company form created by the Sec-
retary of the Treasury under this subsection or an internet link to that form.

“(ii) The secretary of a State or a similar office in each State or Indian Tribe respon-
sible for the establishment of entities created by the filing of a public document with the office under the law of the State or In-
dian Tribes shall update the websites, forms related to the establishment, and physical prom-
ises of the office to notify filers of their re-
quirements as reporting companies under this section, including providing an internet link to the reporting company forms issued by the Secretary of the Treasury under this section.

“(B) NOTIFICATION FROM THE DEPARTMENT OF THE TREASURY.—A notification under clause (i) or (ii) of subparagraph (A) shall ex-
plicitly state that the notification is on be-
half of the Department of the Treasury for the purpose of complying with the
financing of terrorism, proliferation fin-
cing, serious tax fraud, and other finan-
cial crime; and nonpublic registra-
tion of business entities formed or registered to do business in the United States.

“(f) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corpora-
tion, association, or any other similar entity formed under the laws of a State or Indian Tribe may not issue a certifi-
cate in bearer form evidencing either a whole or fractional interest in the entity.

“(g) REGULATIONS.—In promulgating regu-
lations carrying out this section, the Direc-
tor shall reach out to members of the small business community and other affected parties to ensure efficiency and effective-
ness of the process for the entities subject to the requirements of this section.

“(h) PENALTIES.—

“(1) REPORTING VIOLATIONS.—It shall be unlawful for any person to—

“(A) willfully provide, or attempt to pro-
vide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph or document, to FinCEN in accordance with paragraph (b); or

“(B) fail to report complete or up-
dated beneficial ownership information to FinCEN in accordance with subsection (b).

“(2) UNAUTHORIZED DISCLOSURE OR USE.— Excep-
tions to this section shall also be unlawful for any person knowingly dis-
close or knowingly use the beneficial owner-
ship information obtained by the person through

“(A) a report submitted to FinCEN under subsection (b); or

“(B) a disclosure made by FinCEN under subsection (c).

“(3) CRIMINAL AND CIVIL PENALTIES.—

“(A) REPORTING VIOLATIONS.—Any person who violates subparagraph (A) or (B) of para-
graph (1)—

“(i) shall be liable to the United States for a civil penalty of not more than $500 for each day that the violation continues or has not been remedied; and

“(ii) may be fined not more than $10,000, imprisoned for not more than 2 years, or both.

“(B) UNAUTHORIZED DISCLOSURE OR USE VIOL-
ATIONS.—Any person who violates para-
graph (2)—

“(i) shall be liable to the United States for a civil penalty of not more than $250,000, or imprisoned for not more than 5 years, or both; or

“(ii) while violating another law of the United States or as part of a pattern of any illegal activity involving more than $100,000 in a 12-month period, shall be fined not more than $500,000, imprisoned for not more than 10 years, or both.

“(C) SAFE HARBOR.—

“(I) IN GENERAL.—Except as provided in sub-
clause (II), a person shall not be subject to
civil or criminal penalty under subpara-
graph (A) if the person—

“(aa) has reason to believe that any report submitted by the person in accordance with subsection (b) contains inaccurate informa-
tion; and

“(bb) in accordance with regulations issued by the Secretary, voluntarily and promptly, and in no case later than 90 days, submits a report containing corrected information.

“(II) EXCEPTIONS.—A person shall not be
exempt from penalty under clause (i) if, at the time the person submits the report re-
quired by subsection (b), the person—

“(aa) acts for the purpose of evading the reporting requirements under subsection (b); and

“(bb) has actual knowledge that any infor-
mation contained in the report is inaccurate.

“(III) ASSISTANCE.—FinCEN shall provide
assistance to any person seeking to submit a corrected report in accordance with clause (i)(D).

“(4) USER COMPLAINT PROCESS.

“(A) IN GENERAL.—The Inspector General of the Department of the Treasury, in co-
ordination with the Secretary of the Treas-
ury, shall provide public contact informa-
tion to receive external comments or complaints regarding the beneficial ownership informa-
tion collection and collection process or any aspect of the security and confidentiality protocols and provides recommendations for fixing those deficiencies.

“(B) REPORT.—The Inspector General of the Department of the Treasury shall submit to the Secretary a report on each investigation conducted under subpara-
graph (A).

“(C) ACTIONS OF THE SECRETARY.—Upon re-
ceiving a report submitted under subpara-
graph (B), the Secretary of the Treasury shall

“(i) determine whether the Director had any responsibility for the cybersecurity breach or whether policies, practices, or procedures implemented at the direction of the Director led to the cybersecurity breach; and

“(ii) submit to Congress a written report outlining the findings of the Secretary, in-
cluding a determination by the Secretary on whether to retain or dismiss the individual serving as the Director.

“(6) DEFINITION.—In this subsection, the term ‘willfully’ means the voluntary, inten-
tional violation of a known legal duty.

“(7) CONTINUOUS REVIEW OF EXEMPT EN-
TITIES.—

“(1) IN GENERAL.—On and after the effec-
tive date of the regulations promulgated under this section, if the Secretary of the Treasury makes a determination, which may be based on information contained in the re-
port required under paragraph (1) of the Anti-Money Laundering Act of 2020 or on any other information available to the Sec-
retary, that an entity or class of entities in the list in subsection (a)(ii) has been sub-
ject to significant abuse relating to money launder-
ing, the financing of terrorism, proliferation fin-
cing, serious tax fraud, or other illegal activity, not after the date on which the Secretary makes the determination, the Secretary shall submit to the Com-
mittee on Banking, Housing, and Urban Affairs of the House of Repre-
sentatives a report that explains the reasons for the determination and any ad-
mended legislative or regulatory recommendations to prevent such abuse.

“(2) CLASSIFIED ANNEX.—The report re-
quired by paragraph (1)—

“(A) shall be submitted in unclassified form; and

“(B) may include a classified annex.

“(b) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

“(1) in section 5321(a)—

“(A) by striking ‘‘sections 5314 and 5315’’ each place that term appears and inserting ‘‘sections 5314, 5315, and 5336’’; and

“(B) in section 5322, by inserting ‘‘except sections 5336’’ after ‘‘subchapter’’ each place that term appears; and

“(2) in section 5322, by striking ‘‘sections 5315 or 5324’’ each place that term appears and inserting ‘‘sections 5315, 5324, or 5336’’ in the table of sections for chapter 53, as amended by sections 5305(b)(1), 5306(b), and 5312(b) of this division, is amended by adding at the end the following:

“(5336. Beneficial ownership information re-
porting requirements.’’.
SEC. 5503. INCREASE ACCURACY OF BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS

(a) General.—Not later than 2 years after the effective date of the regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by section 5403(a) of this division, or other simplified reporting methods in order to facilitate a simplified beneficial ownership regime for reporting companies; and

(b) whether a reporting regime whereby only company shareholders are reported within the ownership chain of a reporting company could effectively facilitate beneficial ownership information and increase information to law enforcement;

(c) the costs associated with imposing any new verification requirements on FinCEN; and

(d) the resources necessary to implement any such changes.

SEC. 5504. CONGRESSIONAL STUDIES ON BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS

The Comptroller General, in consultation with the Attorney General, shall conduct a study to evaluate—

(1) the effectiveness of using FinCEN identifiers, as defined in section 5336 of title 31, United States Code, as added by section 5403(a) of this division, or other simplified reporting methods in order to facilitate a simplified beneficial ownership regime for reporting companies; and

(2) any other matter that the Secretary determines appropriate.

TITLE LV—MISCELLANEOUS

SEC. 5505. INVESTIGATION AND PROSECUTION OF OFFENSES FOR VIOLATIONS OF THE SECURITIES LAWS

(a) General.—Section 21(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)) is amended—

(1) in paragraph (3)—

(2) in subparagraph (A), by inserting "and amendments made by this division, or other duplicative'':

(3) in subparagraph (B), by inserting "and amendments made by this division, or other duplicative'':

(4) in subparagraph (C), by inserting "and amendments made by this division, or other duplicative'':

(b) Effectiveness of Incorporation Practices.—The Comptroller General of the United States shall conduct a study to assess the effectiveness of incorporation practices implemented under this division, and the amendments made by this division, in—

(1) providing national security, intelligence, and law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of national security, intelligence, and law enforcement agencies to—

(A) combat incorporation abuses and civil and criminal misconduct; and

(B) detect, prevent, or prosecute money laundering, the financing of terrorism, proliferation finance, serious tax fraud, or other crimes.

(c) Using Technology to Avoid Duplication of Verification Efforts and Increase Accuracy of Beneficial Ownership Information.—

(1) General.—The Secretary, in consultation with the Attorney General, shall conduct a study to evaluate—

(A) the effectiveness of using FinCEN identifiers, as defined in section 5336 of title 31, United States Code, as added by section 5403(a) of this division, for or other simplified reporting methods in order to facilitate a simplified beneficial ownership regime for reporting companies; and

(B) any other matter that the Secretary determines appropriate.

(d) Other Congressional Studies.—Not later than 2 years after the effective date of the regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by section 5403(a) of this division, the Comptroller General of the United States shall conduct a study and submit to Congress a report identifying each State that has processes that enable persons to form or register under the laws of the State partnerships, limited liability companies, and similar entities described in paragraph (1) pose significant risks of money laundering, the financing of terrorism, proliferation finance, serious tax fraud, and other illicit activity; and

(2) any other policy areas related to the risks of exempt entities described in paragraph (1) for Congress to consider as Congress is conducting oversight of the new beneficial ownership information reporting requirements established by this division and amendments made by this division.

SEC. 5506. GAO AND TREASURY STUDIES ON BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS

(a) Effectiveness of Incorporation Practices.—The Comptroller General of the United States shall conduct a study to assess the effectiveness of incorporation practices implemented under this division, and the amendments made by this division, in—

(1) providing national security, intelligence, and law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of national security, intelligence, and law enforcement agencies to—

(A) combat incorporation abuses and civil and criminal misconduct; and

(B) detect, prevent, or prosecute money laundering, the financing of terrorism, proliferation finance, serious tax fraud, or other crimes.

(c) Using Technology to Avoid Duplication of Verification Efforts and Increase Accuracy of Beneficial Ownership Information.—

(1) General.—The Secretary, in consultation with the Attorney General, shall conduct a study to evaluate—

(A) the effectiveness of using FinCEN identifiers, as defined in section 5336 of title 31, United States Code, as added by section 5403(a) of this division, for or other simplified reporting methods in order to facilitate a simplified beneficial ownership regime for reporting companies; and

(B) any other matter that the Secretary determines appropriate.

(d) Other Congressional Studies.—Not later than 2 years after the effective date of the regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by section 5403(a) of this division, the Comptroller General of the United States shall conduct a study and submit to Congress a report identifying each State that has processes that enable persons to form or register under the laws of the State partnerships, limited liability companies, and similar entities described in paragraph (1) pose significant risks of money laundering, the financing of terrorism, proliferation finance, serious tax fraud, and other illicit activity; and

(2) any other policy areas related to the risks of exempt entities described in paragraph (1) for Congress to consider as Congress is conducting oversight of the new beneficial ownership information reporting requirements established by this division and amendments made by this division.
(2) In the 2015 National Money Laundering Risk Assessment, the Department of the Treasury has recognized, "The development of virtual currencies is an attempt to meet a demand for services associated with human trafficking and drug trafficking, destined for, originating from, or within the United States;"

(3) how virtual currencies may be used to facilitate the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking, destined for, originating from, or within the United States, when an online platform is not otherwise required;

(4) how illicit funds that have been transmitted online and through virtual currencies are repatriated into the formal banking system of the United States through money laundering or other means;

(5) the participants, including state and non-state actors, throughout the entire supply chain that may participate in proceeds from the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking, including through online marketplaces or using virtual currencies, destined for, originating from, or within the United States;

(6) Federal and State agency efforts to impede the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking destined for, originating from, or within the United States; and

(7) how virtual currencies and their underlying technologies can be used to detect and deter these illicit activities; and

(8) to what extent immutability and traceability of virtual currencies can contribute to the tracking and prosecution of illicit funding.

REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Committee on Financial Services of the House of Representatives a report containing—

(1) summarizing the results of the study required under subsection (c); and

(2) that contains any recommendations for legislative or regulatory action that would improve the efforts of Federal agencies to impede the use of virtual currencies and online marketplaces in facilitating human trafficking and drug trafficking.

SEC. 5506. TREASURY STUDY AND REPORT ON TRADE-BASED MONEY LAUNDERING.

(a) Study Required.—

(1) IN GENERAL.—The Secretary shall carry out a study to determine the extent to which the United States Government is exposed to the illicit use of virtual currencies and virtual currencies associated with trade-based money laundering.

(2) CONTRACTING AUTHORITY.—The Secretary shall carry out the study required by paragraph (1).

(b) Report Required.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes—

(A) all findings and determinations made in carrying out the study required under subsection (a); and

(B) proposed strategies to combat trade-based money laundering.

(2) CLASSIFIED ANNEX.—The report required by paragraph (1) may include a classified annex.

SEC. 5507. TREASURY STUDY AND STRATEGY ON MONEY LAUNDERING BY THE PEOPLE’S REPUBLIC OF CHINA.

(a) Study Required.—The Secretary shall carry out a study, which shall rely substantially on information obtained through the trade-based
money laundering analyses conducted by the Comptroller General of the United States on—

(1) the extent and effect of illicit finance risk posed by the Government of the People’s Republic of China and Chinese firms, including financial institutions;

(2) an assessment of the illicit finance risks emanating from the People’s Republic of China;

(3) those risks allowed, directly or indirectly, by the Government of the People’s Republic of China to include those enabled by weak regulatory or administrative controls of that government; and

(4) the ways in which the increasing amounts of investment and investments by the Government of the People’s Republic of China and Chinese firms exposes the international financial system to increased risk relating to the People’s Republic of China.

(b) STRATEGY TO COUNTER CHINESE MONEY LAUNDERING.—Upon the completion of the study, the Secretary shall submit to Congress a report containing—

(1) findings and determinations made in carrying out the study required under subsection (a); and

(2) a strategy developed under subsection (b).

SEC. 5507. TREASURY AND JUSTICE STUDY ON THE EFFORTS OF AUTHORITARIAN REGIMES TO EXPLOIT THE FINANCIAL SYSTEM OF THE UNITED STATES TO ADVANCE THE INTERESTS OF SUCH REGIMES; AND FOR DEFENSE ACTIVITIES OF THE DEPARTMENT OF ENERGY, TO PRESCRIBE MILITARY PERSONNEL STRENGTHS FOR SUCH FISCAL YEAR, AND FOR OTHER PURPOSES; WHICH WAS ORDERED TO LIE ON THE TABLE; AS FOLLOWS:

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

SEC. 320. STUDY ON IMPACTS OF TRANSBOUNDARY Flows, Spells, or Discharges of Pollution or Debris from the Tijuana River on Personnel, Activities of the Department of Defense, and for Defense Activities of the Department of Energy, to Prescribe Military Personnel Strengths for Such Fiscal Year, and for Other Purposes; Which Was Ordered to Lie on the Table; As Follows:

(a) STUDY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report containing the results of the study under subsection (a), including all findings and recommendations resulting from the study.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(2) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2200. Ms. HARRIS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

(b) STRATEGY TO COUNTER CHINESE MONEY LAUNDERING.—Upon the completion of the study, the Secretary shall submit to Congress a report containing—

(1) findings and determinations made in carrying out the study required under subsection (a); and

(2) a strategy developed under subsection (b).

SEC. 5508. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subsection (1) of section 318, of title 31, United States Code, as redesignated by section 318, of title 31, United States Code, and amended by striking paragraph (1) of this division, is amended by striking paragraph (1) and inserting the following:

‘‘(1) $126,000,000 for fiscal year 2020; and

‘‘(B) $50,000,000 for fiscal year 2021; and

‘‘(C) $25,000,000 for each of fiscal years 2022 through 2025.’’.

(b) BENEFICIAL OWNERSHIP INFORMATION REGISTRATION REQUIREMENTS.—Section 5336 of title 31, United States Code, as added by section 5403(a) of this division, is amended by adding at the end the following:

‘‘(4) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to FinCEN for each of the fiscal years beginning in the fiscal year 2020, the following:

(A) $126,000,000 for fiscal year 2020; and

(B) $50,000,000 for each of fiscal years 2021 through 2025.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) a strategy developed under subsection (b).

SEC. 5509. SECURITIES ACT OF 1933 STUDY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce, in coordination with the Attorney General, the Administrator of the Environmental Protection Agency, and the United States Commissioner of the International Boundary and Water Commission, shall commission an independent scientific study of the impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River on personnel, activities, and installations of the Department of Defense.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘‘appropriate committees of Congress’’ means—

(1) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(2) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2201. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

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(1) SENSE OF CONGRESS.—It is the sense of Congress that—
(A) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;
(B) the International Space Station is a strategic national security asset vital to the continuation of exploration and scientific advancements of the United States; and
(C) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discovery, and United States economic competitiveness and commercial participation.

(2) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) MAINTAINING A NATIONAL LABORATORY IN SPACE

(1) SENSE OF CONGRESS.—It is the sense of Congress that—
(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 70905 of title 51, United States Code);
(i) benefits the scientific community and promotes commerce in space;
(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as “NASA”) and other Federal agencies, the private sector, and research groups and universities;
(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment and space-based research facilities;
(iv) advances human knowledge and international cooperation;
(B) the International Space Station is a critical element of United States national cooperation and, if possible, in cooperation with the international space partners to the extent planned to be carried out on the International Space Station.

(c) CONTINUATION OF AUTHORITY.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—
(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and
(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—
(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations; and
(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

SA 2202. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows: At the end of subtitle D of title XII, add the following:

SEC. __. SENSE OF SENATE ON THE STATE OF DEMOCRACY IN THE REPUBLIC OF GEORGIA.

(a) FINDINGS.—The Senate makes the following findings:

(1) Since gaining its independence from the Soviet Union in 1991, the United States has strongly supported the Republic of Georgia’s democratic transition and Euro-Atlantic aspirations.

(2) Since its liberation from a communist dictatorship, Georgia has made great strides in democratic governance, free-market economic reforms, and the rule of law.

(3) Since 1992, the United States has provided Georgia with at least $4,200,000,000 in assistance, including at least $732,000,000 in defense assistance.

(4) Georgia has been a committed partner of the North Atlantic Treaty Organization and has contributed significant military forces and resources to the North Atlantic Treaty Organization missions in Afghanistan and the Multi-National Force in Iraq.

(5) Russia has illegally occupied the territories of South Ossetia and Abkhazia since 2008, which comprise fully 29 percent of the land of Georgia, in contravention of international law.

(6) On June 20, 2019, as part of the Interparliamentary Assembly held in Tbilisi, Georgia, Member of the Russian State Duma, Sergei Gavrilov, addressed the group from the chairman’s seat in the Parliament of Georgia, leading to a political uproar in Georgia.

(7) In response to the actions of Mr. Gavrilov and worries of growing Russian interference in the politics of Georgia, tens of thousands of Georgians took to the streets in protest, including by barricading and attempting to storm the parliamentary building.

(8) The Georgian riot police violently suppressed the protests, including through the use of water cannons, which resulted in hundreds of individuals severely injured and several hundred arrests.

On July 23, 2019, Irakli Okruashvili, a former Defense Minister of Georgia and a leader of the political opposition, was arrested on charges of inciting violence during the June 2019 protests against the government and sentenced to five years in prison.

On November 18, 2019, Giorgi Rurua, a businessman and founder of the television channel Mtavari Arkhi, was arrested on charges of possessing an illegal firearm.

On February 24, 2020, Giorgi (Gigi) Ugulava, the former mayor of Tbilisi and a leader of the political opposition, despite having previously served a prison term of 15 months on charges of misusing funds while mayor of Tbilisi, was sentenced to an additional 38 months in prison on similar charges.

(b) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPEARING TO INCOMPATIBLE WITH U.S. NATIONAL SECURITY INTERESTS.—The Secretary of Defense shall identify any activity, program, or project of the Department of Defense appearing to be incompatible with U.S. national security interests and report the results of the review to the appropriate committees of Congress.

SEC. __. SENSE OF SENATE ON THE STATE OF DEMOCRACY IN THE REPUBLIC OF GEORGIA.

(a) FINDINGS.—The Senate makes the following findings:

(1) Since gaining its independence from the Soviet Union in 1991, the United States has strongly supported the Republic of Georgia’s democratic transition and Euro-Atlantic aspirations.

(2) Since its liberation from a communist dictatorship, Georgia has made great strides in democratic governance, free-market economic reforms, and the rule of law.

(3) Since 1992, the United States has provided Georgia with at least $4,200,000,000 in assistance, including at least $732,000,000 in defense assistance.

(4) Georgia has been a committed partner of the North Atlantic Treaty Organization and has contributed significant military forces and resources to the North Atlantic Treaty Organization missions in Afghanistan and the Multi-National Force in Iraq.

(5) Russia has illegally occupied the territories of South Ossetia and Abkhazia since 2008, which comprise fully 29 percent of the land of Georgia, in contravention of international law.

(6) On June 20, 2019, as part of the Interparliamentary Assembly held in Tbilisi, Georgia, Member of the Russian State Duma, Sergei Gavrilov, addressed the group from the chairman’s seat in the Parliament of Georgia, leading to a political uproar in Georgia.

(7) In response to the actions of Mr. Gavrilov and worries of growing Russian interference in the politics of Georgia, tens of thousands of Georgians took to the streets in protest, including by barricading and attempting to storm the parliamentary building.

(8) The Georgian riot police violently suppressed the protests, including through the use of water cannons, which resulted in hundreds of individuals severely injured and several hundred arrests.

On July 23, 2019, Irakli Okruashvili, a former Defense Minister of Georgia and a leader of the political opposition, was arrested on charges of inciting violence during the June 2019 protests against the government and sentenced to five years in prison.

On November 18, 2019, Giorgi Rurua, a businessman and founder of the television channel Mtavari Arkhi, was arrested on charges of possessing an illegal firearm.

On February 24, 2020, Giorgi (Gigi) Ugulava, the former mayor of Tbilisi and a leader of the political opposition, despite having previously served a prison term of 15 months on charges of misusing funds while mayor of Tbilisi, was sentenced to an additional 38 months in prison on similar charges.

(b) Independent observers and Georgia’s political opposition maintain that these arrests were politically motivated.

(15) On March 8, 2020, the Embassies of the United States, the European Union, and the representative of the Council of Europe in Georgia, facilitated an agreement between several political parties of Georgia, designed to begin deadlock, implement Organization for Security Co-operation in Europe recommendations on electoral reform, and move Georgian democracy forward.

(14) The parties reached a consensus “on the importance of upholding and striving for the highest standards in the functioning of Georgia’s judicial system and necessity of addressing actions that could be perceived as inappropriate politicization of Georgia’s judicial and electoral processes”.

The agreement detailed the changes that would be made to the electoral law of the Republic of Georgia under which the 2020 parliamentary elections would be conducted, to include “an electoral system for 2020 based on 129 proportional mandates and 30 majoritarian mandates, a fair composition of election districts, a 1% threshold, and a cap rule requiring that no less than 40% of the votes should be able to get its own majority in the next parliament.”

On May 11, 2020, having seen little progress in implementing the agreements of March 8, 2020, the facilitators called publicly
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upon all sides to uphold the letter and spirit of both parts of the agreement with a view to its successful implementation’.

(17) On May 15, 2020, Georgian President Salome Zourabichvili pardoned Irakli Okruashvili and Gigi Ugulava, saying that ‘I cannot allow the agreement recognized by the international community not to be implemented’.

(18) Despite the agreement, Giorgi Rurua still remains in pre-trial detention.

(19) Opposition parties in Georgia maintain that the release of all political prisoners, including Mr. Rurua, is a precondition for their support for the agreed upon changes to the electoral law.

(20) Increased changes to the electoral system remain incomplete, although parliamentary elections are set for late October 2020.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate—
(1) applauds the strides Georgia has made in governance, economic reforms, and anticorruption since Georgia’s independence from the Soviet Union;
(2) reaffirms the desire for continued cooperation between the United States and Georgia in furthering those efforts, including in defense of Georgia’s sovereignty and territorial integrity, should the Government of Georgia continue to exhibit a good faith effort to implement those reforms;
(3) urges the Government, elected officials, and political leaders of Georgia to reject the temptations of power and work together to continue to build a free press, allow for private enterprise, and become ever more accountable and transparent in governance;
(4) underscores the importance of implementing the Organization for Security Cooperation in Europe’s recommendations on electoral reform agreed to by Georgian political parties on March 8, 2020;
(5) urges the Government of Georgia to further strengthen the country’s democracy by improving judicial independence, including by implementing more transparent procedures to appoint judges for all courts and ending the practice of appointing judges who are unduly influenced by or loyal to the ruling party;
(6) affirms that successful implementation of these electoral and judicial reforms is critical to the ability of the Government of Georgia to restore trust in its commitment to continued democratic development and further integration with the West;
(7) calls upon the Government of Georgia to undertake policies that strengthen both the spirit and letter of Georgia’s democratic and legal processes and thus further solidify Georgia’s Euro-Atlantic path; and
(8) recognizes the importance of the upcoming elections for the Parliament of Georgia and officials on officials of the Government of Georgia to ensure that such elections are free, fair, peaceful, and conducted according to the rules agreed to on March 8, 2020.

SA 2203. Mr. INHOFE (for himself and Mr. MOGUL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8421. ANNUITY SUPPLEMENT.
Section 8421(a) of title 5, United States Code, is amended—
(1) by striking ‘‘as an air traffic’’ and inserting the following:—’‘as an air traffic’’;
(2) in paragraph (1), as so designated, by striking the period at the end and inserting ‘‘or’’;
(3) by adding at the end the following:
‘‘(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 2434 of title 49.’’

SA 2204. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1262. SENSE OF CONGRESS ON UNITED STATES-INDIA DEFENSE RELATIONSHIPS.
Section 71(1) of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–5(1)) is amended by inserting ‘‘the Secretary may provide, from the National Park Service’s national recreation and preservation account, the remainder’’.

SA 2205. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. SENSE OF CONGRESS ON UNITED STATES-INDIA DEFENSE RELATIONSHIPS—
(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the United States has made meaningful progress in strengthening its major defense partnership with India by—
(A) maintaining a broad-based strategic partnership, underpinned by shared interests and objectives in promoting a rules-based international system;
(B) establishing the joint-tri-service exercise, Tiger TRIUMPH, focused on amphibious operations;
(C) building joint peacekeeping capacity efforts;
(D) enhancing United States-India maritime domain awareness cooperation;
(E) leveraging the secure communications equipment enabled by the Communications Compatibility and Security Agreement;
(F) installing sensors at United States Naval Forces Central Command and the maritime Information Fusion Center of India;
(G) establishing a secure hotline for the four 2+2 Ministers, which is the consultation mechanism between—
(i) the Secretary of State and the Secretary of Defense;
(ii) the Minister of External Affairs and the Minister of Defence of India; and

(H) discussing critical mutual defense issues at the first quadrilateral ministerial-level meeting on the sidelines of the United Nations General Assembly among the United States, India, Australia, and Japan in September 2019; and
(2) the United States should strengthen and enhance its major defense partnership with India by—
(A) expanding defense-specific engagement in multilateral frameworks, including the quadrilateral dialogue among the United States, India, Japan, and Australia, to promote regional security and defend shared values and common interests in the rules-based order;
(B) increasing the frequency and scope of exchanges between senior military officers of the United States and India to support the development and implementation of the major defense partnership;
(C) exploring additional steps to implement the major defense partner designation to better facilitate interoperability, information sharing, and appropriate technology transfers;
(D) pursuing strategic initiatives to help develop the defense capabilities of India, including conducting additional combined exercises with India in the Persian Gulf, Indian Ocean, and western Pacific regions;
(E) furthering cooperative efforts to promote stability and security in Afghanistan;
(F) remaining committed to concluding the two remaining ‘‘enabling agreements’’, which are—
(i) the Industrial Security Agreement; and
(ii) the Basic Exchange and Cooperation Agreement;
(G) fully and quickly implementing of the Communications Compatibility and Security Agreement, which is critical to advancing United States-India interoperability;
(H) continuing the efforts of the Commander of the United States Indo-Pacific Command, in cooperation with the Minister of Defence of India—
(i) to retrofit existing United States-origin equipment; and
(ii) to incorporate communications security into future United States defense sales;
(I) focusing on several priority areas for cooperation, including Air Launched Small Unmanned Aerial Systems, Lightweight Small Arms Technologies, and Intelligence Surveillance, Target Acquisition Reconnaissance;
(K) expanding military-to-military cooperation, including more joint/tri-service cooperation;
(L) strengthening maritime operational cooperation and information sharing;
(M) increasing Professional Military Education opportunities and exchanges between personnel and liaison officers; and
(N) strengthening cooperation between the Army, Air Force, and Special Operations Forces of the United States and the military forces of India; and

(O) identifying additional practical areas for cooperation between the United States and India in and beyond the Indo-Pacific region.
such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10 — UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) Short Title.—This section may be cited as the “Utilizing Significant Emissions with Innovative Technologies Act” or the “USE IT Act.”

(b) Definitions of Terms.—The following definitions apply throughout this section:

"(a) concentration of less than 1 percent by volume—

"intellectual property" means—

"title X, insert the following:

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

paragraph (1) shall be developed''; and

strategies and technologies described in

under this subsection'';

(A) (as so redesignated)—

ties described in each of subparagraphs (B),

graph (3)(A) with respect to carbon dioxide,

Direct Air Capture Technology Advisory

"(aa) direct air capture technology, or system, means that the facility,

equipment to capture carbon dioxide directly

from the air.

"(BB) using natural photosynthesis.

"(BB) 1 project in a rural State.

"(BB) to operate in a manner that would

commercially viable in the foreseeable future
(as determined by the Board); and

"(cc) to the maximum extent practicable,

make financial awards to geographically
diverse projects, including at least—

"(AA) 1 project in a coastal State; and

"(BB) 1 project in a rural State.

"(III) PUBLIC PARTICIPATION.—In carrying outsubclause (II)(aa), the Administrator shall—

"(aa) provide notice of and, for a period of

not less than 60 days, an opportunity for pub-

lic comment on, any draft or proposed

version of the requirements described in sub-

clause (I)(aa); and

"(bb) take into account public comments

received in developing the final version of

those requirements.

"(III) DIRECT AIR CAPTURE TECHNOLOGY AD-

visor Board'.

"(II) DILUTE.—The term 'dilute' means a

concentration of carbon dioxide is dilute.

"(I) in the second sentence, by striking “The Administrator” and inserting the following:“(5) COORDINATION AND AVOIDANCE OF DUPLI-

CATION.—

"(II) THROUGH (IV) as subparagraphs (A) through

(D), respectively, and indenting appro-

priately;

(B) in the undesigned matter following

subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking “The Administrator” and inserting the following:“(5) COORDINATION AND AVOIDANCE OF DUPLI-

CATION.—

"(ii) in the first sentence, by striking “Nothing” and inserting the following:“(4) EFFECT OF SUBSECTION.—Nothing”;

"(C) in the matter preceding subparagraph

(A) (as so redesignated)—

(i) in the third sentence, by striking “Such program” and inserting the following:

"(II) PROGRAM INCLUSIONS.—The program under this subsection—

Program Inclusions: — The program under this subsection—

(ii) in the second sentence—

"(I) by inserting “States, institutions of

higher education,” after “scientists,”; and

"(II) by striking “Such strategies and tech-

nologies shall be developed” and inserting the following:

"(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed”; and

"(iii) in the first sentence, by striking “In carrying out” and inserting the following:

"(I) IN GENERAL.—In carrying out; and

"(D) by the Department of Energy.

"(aa) an invention that is patentable under

title 35, United States Code; and

"(bb) any patent on an invention described

in item (aa).

"(BB) an invention that is patentable under

section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(I) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking “precursors” and inserting “precursors”; and

(II) through the chemical conversion of

carbon dioxide through photosynthesis or chemosynthesis,

such as through the growing of algae or bac-

teria;

"(BB) the demonstration of performance of approved projects:

"(bb) offer financial awards for a project designed

"(aa) to the maximum extent practicable,

to capture more than 10,000 tons of carbon di-

oxide per year; and

"(BB) to operate in a manner that would

be commercially viable in the foreseeable future
(as determined by the Board); and

"(BB) offer financial awards for a project
designed

"(aa) subject to subclause (III), develop

specific requirements for—

"(AA) 1 project in a coastal State; and

"(BB) 1 project in a rural State.

"(III) PUBLIC PARTICIPATION.—In carrying outsubclause (II)(aa), the Administrator shall—

"(aa) provide notice of and, for a period of

not less than 60 days, an opportunity for pub-

lic comment on, any draft or proposed

version of the requirements described in sub-

clause (I)(aa); and

"(bb) take into account public comments

received in developing the final version of

those requirements.

"(III) DIRECT AIR CAPTURE TECHNOLOGY AD-

visor Board'.

"(I) ESTABLISHMENT.—There is an established

advisory board to be known as the ‘Direct Air Capture Technology Advisory Board’. 

"(II) COMPOSITION.—The Board shall be com-

posed of 9 members appointed by the Ad-

ministrator, in consultation with the Sec-

retary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

"(III) DUTIES.—In carrying out this clause, the Administrator shall—

"(a) encourage the application for and receiv-

ing of patents on inventions described in

subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking “The Administrator” and inserting the following:“(5) COORDINATION AND AVOIDANCE OF DUPLI-

CATION.—

"(bb) economics;

"(CC) chemistry;

"(DD) biology;

"(EE) engineering;

"(FF) economics;

"(GG) business management; and

"(bb) such other disciplines as the Admin-

istrator determines to be necessary to achieve the purposes of this subparagraph.

"(III) TERM; VACANCIES.—

"(aa) Term.—A member of the Board shall

serve for a term of 6 years.

"(bb) Vacancies.—A vacancy on the Board—

"(I) in paragraph (1)(aa), by striking “the actual perform-

ance of the duties of the Ad-

"(BB) 1 project in a rural State.

"(II) PUBLIC PARTICIPATION.—In carrying outsubclause (II)(aa), the Administrator shall—

"(aa) provide notice of and, for a period of

not less than 60 days, an opportunity for pub-

lic comment on, any draft or proposed

version of the requirements described in sub-

clause (I)(aa); and

"(bb) take into account public comments

received in developing the final version of

those requirements.

"(III) DIRECT AIR CAPTURE TECHNOLOGY AD-

visor Board'.

"(I) ESTABLISHMENT.—There is an established

advisory board to be known as the ‘Direct Air Capture Technology Advisory Board’. 

"(II) COMPOSITION.—The Board shall be com-

posed of 9 members appointed by the Ad-

ministrator, in consultation with the Sec-

retary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

"(III) DUTIES.—In carrying out this clause, the Administrator shall—

"(a) encourage the application for and receiv-

ing of patents on inventions described in

subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking “The Administrator” and inserting the following:“(5) COORDINATION AND AVOIDANCE OF DUPLI-

CATION.—

"(bb) economics;

"(CC) chemistry;

"(DD) biology;

"(EE) engineering;

"(FF) economics;

"(GG) business management; and

"(bb) such other disciplines as the Admin-

istrator determines to be necessary to achieve the purposes of this subparagraph.

"(III) TERM; VACANCIES.—

"(aa) Term.—A member of the Board shall

serve for a term of 6 years.

"(bb) Vacancies.—A vacancy on the Board—

"(AA) 1 project in a rural State.

"(BB) the demonstration of performance of approved projects:

"(bb) offer financial awards for a project designed

"(aa) to the maximum extent practicable,

to capture more than 10,000 tons of carbon di-

oxide per year; and

"(BB) to operate in a manner that would

be commercially viable in the foreseeable future
(as determined by the Board); and

"(aa) an invention that is patentable under

title 35, United States Code; and

"(bb) any patent on an invention described

in item (aa).

"(BB) an invention that is patentable under

section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(I) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking “precursors” and inserting “precursors”; and

(II) through the chemical conversion of

carbon dioxide through photosynthesis or chemosynthesis,

such as through the growing of algae or bac-

teria;

"(BB) the demonstration of performance of approved projects:

"(bb) offer financial awards for a project designed

"(aa) to the maximum extent practicable,

to capture more than 10,000 tons of carbon di-

oxide per year; and

"(BB) to operate in a manner that would

be commercially viable in the foreseeable future
(as determined by the Board); and

"(aa) an invention that is patentable under

title 35, United States Code; and

"(bb) any patent on an invention described

in item (aa).
shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industries into a product of commercial value, or as an input to products of commercial value.

(iii) **Technical and Financial Assistance.** Not less than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall compile, coordinate, and prioritize activities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

(iv) **Eligibility.** To be eligible to receive technical assistance and financial assistance under this clause, a carbon dioxide utilization project shall—

(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

(II) have access to adequate space for a laboratory for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test bays for scale-up; and

(III) shall exist partnerships with institutions of higher education, private companies, States, or other government entities.

(c) **Coordination.** In supporting carbon dioxide utilization projects under paragraph (B), the Administrator shall—

(I) consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emitted by the carbon dioxide utilization projects.

(II) **Authorization of Appropriations.**

(I) In general.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $50,000,000 shall be available to carry out this subparagraph, to remain available until expended.

(II) **Requirement.** Research carried out using amounts made available under subparagraph (I) may not duplicate research funded by the Department of Energy.

(D) **Deep Saline Formation Report.**

(I) **Definition of Deep Saline Formation.**

In general.—In this subparagraph, the term ‘deep saline formation’ means a formation of subsurface geographically extensive sedimentary rock layers saturated with water and salt that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

(II) **Clarification.** In this subparagraph, the term ‘deep saline formation’ does not include oil and gas reservoirs.

(III) **Report.** In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing or developing technologies;

(II) recommendations, if any, for managing the potential risks identified under clause (I), including potential risks unique to public land; and

(III) recommendations, if any, for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

(E) **Report on Carbon Dioxide Non-Regulatory Strategies and Technologies.**

(I) In General.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

(A) the recipients of assistance under subparagraphs (B) and (C); and

(B) a plan for supporting additional non-regulatory strategies and technologies that could sufficiently prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

(II) **Inclusions.** The plan submitted under clause (I) shall include—

(A) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

(B) a description of any nonair-related environmental or energy considerations regarding the technologies.

(F) **GAO Report.** The Comptroller General of the United States shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403(g)), including a description of—

(I) the amount of funds used to carry out specific provisions; and

(II) the practices used by the Administrator to determine how funds paid to carry out that section, as compared to funding used to carry out other programs or projects.

(G) **Inclusion of Carbon Capture Infrastructure Projects.**

Section 41001 of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(I) by inserting after clause (i) the following:

(A) in the matter preceding clause (i), by inserting ‘‘carbon capture,’’ after ‘‘manufacturing,’’;

(B) in clause (I)(III), by striking ‘‘or’’ at the end;

(C) by redesignating clause (II) as clause (III); and

(D) by inserting after clause (I) the following:

(II) is covered by a programmatic plan or environmental review developed for the primary purpose of facilitating development of carbon dioxide pipelines; or;

and

(2) by adding at the end the following:

(C) **Inclusion.** For purposes of subparagraph (A), construction of infrastructure for carbon capture includes construction of—

(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide; or

(ii) carbon dioxide pipelines.

(IV) **Development of Carbon Capture, Utilization, and Sequestration Report, Permitting Guidance, and Regional Permitting Task Force.**

(1) **Definitions.** In this subsection:

(A) **Carbon Capture, Utilization, and Sequestration Projects.** The term ‘‘carbon capture, utilization, and sequestration projects’’ includes projects for direct air capture (as defined in paragraph (5)(B)(1) of section 103(c) of the Clean Air Act (42 U.S.C. 7403(g))); and

(B) **Efficient, Orderly, and Responsible.** The term ‘‘efficient, orderly, and responsible’’ means, with respect to development or the permitting process for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) **Report.**

(A) **In General.** Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the ‘‘Chair’’), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, and the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare, submit to Congress a report that—

(i) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies;

(II) clarification of the permitting responsibilities, authorities, and roles of Federal agencies; and

(III) best practices and templates for permitting; or

(ii) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(iii) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms and programs available to project developers.

(B) **Submission; Publication.** The Chair shall—

(I) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives;

(ii) as soon as practicable, make the report publicly available.

(3) **Guidance.**

(A) **In General.** After submission of the report under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.
(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—
(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); (iii) the Water Pollution Control Act (33 U.S.C. 1251 et seq.); (iv) the Safe Drinking Water Act (42 U.S.C. 300f et seq.); (v) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); (vi) the Bald and Golden Eagle Protection Act; and (vii) any other Federal law that the Chair determines to be appropriate.

(ii) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(iii) PUBLIC INVOLVEMENT.—The guidance under subparagraph (A) shall be subject to the public notice, comment, and solicitation of input to products of commercial value; and (ii) as soon as practicable, make the guidance publicly available.

(iv) CHAIR.—The Chair shall—
(i) periodically evaluate the reports of the task force under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and
(ii) each year, submit to the Committee on Energy and Commerce of the House of Representatives; and
(iii) as soon as practicable, make the guidance publicly available.

(ii) MEMBERS.—Each task force shall—
(i) identify permitting and other challenges that permitting authorities and project developers and operators face; and
(ii) improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(ii) MEMBERS.—The Chair shall—
(i) develop criteria for the selection of members; and
(ii) select members for each task force in accordance with subparagraph (A) and clause (ii).

(ii) MEMBERS.—Each task force—
(i) shall not less than 1 representative of—
(aa) the Environmental Protection Agency; (bb) the Department of Energy; (cc) the Department of the Interior; (dd) any other Federal agency the Chair determines to be appropriate; (ee) and (ff) that requests participation in the geographical area covered by the task force;

(ii) DEVELOPMENT.—Each task force shall—
(i) inventory existing or potential Federal and State financial assistance for research related to carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices.
(i) submit the guidance under subparagraph (A) to the Committee on Energy and Commerce of the House of Representatives; and
(ii) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(ii) MEMBERS.—The Chair shall—
(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and
(ii) each year, submit to the Committee on Energy and Commerce of the House of Representatives; and
(iii) as soon as practicable, make the guidance publicly available.

(ii) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—
(i) reevaluate the need for the task forces; and
(ii) submit to Congress a recommendation as to whether the task forces should continue.

SA 2207. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCsALLY, Mr. TESTER, Mr. SCHATZ, Mr. Cramer, Ms. SMITH, and Mr. Daines) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION SEC. 5101. SHORT TITLE. This division may be cited as the “Native American Housing Assistance and Self-Determination Reauthorization Act of 2020.”

SEC. 5102. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS. Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

This division may be cited as the “Native American Housing Assistance and Self-Determination Reauthorization Act of 2020.”

I. IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that results in an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe for which the recipient is eligible under section 105 shall assume the status of a responsible Federal agency providing additional funding and shall be treated as under section 5102.

II. DISCHARGE.—The discharge of the Indian tribe for which the recipient is eligible under section 105 shall be subject to the requirements of paragraphs (1) and (2) to the extent applicable.

III. CERTIFICATION.—An Indian tribe that assumes the responsibilities under paragraph (1) is subject to the requirements of paragraphs (1) and (2) to the extent applicable.

IV. LIABILITY.—An Indian tribe that assumes the responsibilities under paragraph (1) is subject to the requirements of paragraphs (1) and (2) to the extent applicable.
this subsection shall assume sole liability for the content and quality of the review.

(2) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary fails to provide notice and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing additional funding for the project from imposing additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing.

(3) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing additional responsibilities under subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing.

SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.


SEC. 5104. STUDENT HOUSING ASSISTANCE.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting “education-related student assistance programs (including education-related student assistance programs),” before “college housing assistance, and other education-related assistance for low-income college students,” after “self-sufficiency and other services.”

SEC. 5105. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBES OR TRIBALY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting “owned or operated by a recipient and” after “residing in a dwelling unit.”

SEC. 5106. PROGRAM REQUIREMENTS.

Section 203 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(a)) as amended by section 5 is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; (2) by redesignating paragraph (2) as paragraph (3); (3) by inserting after paragraph (1) the following:

“ APPLICATION OF TRIBAL POLICIES.— Paragraph (3) shall not apply if—

(A) The tribe has a written policy governing rents and homebuyer payments charged for dwelling units; and

(B) that policy includes a provision governing maximum rents or homebuyer payments, including tenant protections; and

(4) in paragraph (3) (as so redesignated), by striking “the case of” and inserting “the case of”.

SEC. 5107. DE MINIMIS EXEMPTION FOR PROOF OF MAXIMUM RENTS AND HOMEOWNER PAYMENTS OR HOMEBUYER PAYMENTS.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(g)) is amended by striking “$5,000” and inserting “$10,000.”

SEC. 5108. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking “and” and inserting “or”; and

(B) by adding at the end the following:

“(B) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current renter family for conversion to a homeowner or a lease-purchase unit, that the current renter family pays pursuant to a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current renter family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and”;

(2) in subsection (b), by striking “The provisions” and inserting the following:

“(1) IN GENERAL.—The provisions; and

(2) by adding at the end the following:

“(C) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.”.

SEC. 5111. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) shall be effective.

SEC. 5112. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 417) is amended—

(1) in subsection (a), by striking “Congress” and inserting “Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives”;

(2) by adding after paragraph (1) the following:

“(C) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.”.

SEC. 5113. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking “50-YEAR” and inserting “99-YEAR”; and

(2) in subsection (c)(2), by striking “50 years” and inserting “99 years”.

SEC. 5114. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 833 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended by striking “such sums as may be necessary” and all that follows through the period at the end and inserting “such sums as may be necessary for each of fiscal years 2021 through 2031.”

SEC. 5115. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing shall be defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing entity, including development and model activities.

SEC. 5116. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.

Section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

“(1) DEFINITIONS.—In this subsection, the terms ‘tribal’ and ‘tribally designated housing entity’ mean the same terms as in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996.”

SEC. 5117. IN GENERAL.

Notwithstanding any other provision of law, an Indian tribe or a tribally designated housing entity shall...
quality as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a) by the Department of Housing and Urban Development.

SEC. 5117. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking “and” and inserting “a comma; and”;

(B) by inserting before the period at the end the following: “, Indian tribes, and tribally designated housing entities”;

(2) in subparagraph (B), by inserting “, Indian tribes, and tribally designated housing entities” after “organizations”;

(3) by redesigning subparagraph (E) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

“(E) Definitions.—In this paragraph, the terms ‘Indian tribe’ and ‘tribally designated housing entity’ have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101).”;

SEC. 5118. SECTION 184 INDIAN HOME LOAN GUARANTEES.

(a) In General.—Section 184(b)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(b)(4)) is amended by—

(1) redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(2) by striking “The loan” and inserting the following:

“(A) In general.—The loan’;

(3) in subparagraph (A), as so designated, by adding at the end the following:

“(v) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 102(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a))’; and

(4) by adding at the end the following:

“(B) Direct guarantee process.—

“(i) The Secretary may authorize the Secretary to require, in a direct guarantee process for approving loans under this subsection, the borrower to obtain insurance for the loss, irrespective of whether the violation caused the mortgage default.

“(ii) Fraud or misrepresentation.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss, regardless of whether an insurance claim is paid.

“(C) Review of mortgages.—

“(i) In general.—The Secretary may periodically review the mortgagee originating, underwriting, or servicing single family mortgage loans under this section.

“(ii) Requirements.—In conducting a review under this subparagraph, the Secretary shall—

“(I) determine if the mortgagee has the knowledge, skills, and abilities necessary to originate, underwrite, and service single family home loans based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgagee default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by or on behalf of the Secretary.

“(II) implement such comparisons by regulation, notice, or mortgagee letter; and

“(III) have the authority to terminate an acceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i) based on a comparison of any of the factors set forth in this subparagraph; or

“(iv) by a determination that the mortgagee engaged in fraud or misrepresentation.

(b) Loan Guarantees for Indian Housing.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(i)(5)) is amended—

(1) by inserting after the first sentence the following: “There are said to be necessary for each of fiscal years 2021 through 2031.’’; and

(2) in subparagraph (C), by striking “2008 through 2012” and inserting “2021 through 2031.’’

SEC. 5119. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13b(i)(5)) is amended by inserting after the first sentence the following: “There are said to be necessary for each of fiscal years 2021 through 2031.’’

SEC. 5120. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES IN CONTINUUM OF CARE PROGRAM.

(a) In General.—Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

(1) in section 401(b) (42 U.S.C. 11360(b)), by inserting “Indian tribe or tribally designated housing entity” after “nonentitlement area.”;

(2) in subparagraph C (42 U.S.C. 13381 et seq.), by adding at the end the following:

“435. Participation of Indian tribes and tribally designated housing entities.

“Notwithstanding any other provision of this title, for purposes of this subtitle, an Indian tribe or tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101)) may—

(1) be a collaborative applicant or eligible entity; or

(2) receive grant amounts from another entity that receives a grant directly from the Secretary, and use the amounts in accordance with this Act;

(b) Technical and Conforming Amendment.—The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (Public Law 100-77; 101 Stat. 820) is amended by inserting after the item relating to section 434 the following:

“Sec. 435. Participation of Indian tribes and tribally designated housing entities.”

SEC. 5121. ASSISTANT SECRETARY FOR INDIAN HOUSING.

The Department of Housing and Urban Development Act of 42 U.S.C. 3331 et seq.) is amended—

(1) in section 4 (42 U.S.C. 3333)—

(A) in subsection (a)(1), by striking “and” and inserting “and”;

(B) in subsection (e), by redesigning paragraph (2) as paragraph (4); and

(ii) by striking “(e)(1)(A) There” and all that follows through the end of paragraph (1) and inserting the following:

“(e)(1) There is established within the Department the Office of Native American Programs (in this subsection referred to as the Assistant Secretary)’’;

(2) The Assistant Secretary shall be responsible for—

“(A) administering, in coordination with the relevant Office in the Department, the provision of housing assistance to Indian tribes or Indian housing authorities under each program of the Department that provides for such assistance;

“(B) administering the community development block grant program for Indian tribes under Title I of the Housing and Community Development Act of 1994 (42 U.S.C. 5301 et seq.) and the provision of assistance to Indian tribes under such Act;

“(C) directing, coordinating, and assisting in managing any regional offices of the Department that administer Indian programs to the extent of such programs; and

“(D) coordinating all programs of the Department relating to Indian and Alaska Native housing and community development.

(3) The Assistant Secretary shall include in the annual report under section 8 a description of the extent of the needs for Indian housing and community needs of Indian tribes in the United States and the activities of the Department, and extent of such activities, in meeting such needs.”;

(4) in section 8 (42 U.S.C. 3336), by striking “section 4(e)(2)” and inserting “section 4(e)(3)”.

SEC. 5122. ELIMINATION OF PROGRAM.

(a) Definitions.—In this section—

“controlled substance.”—The term controlled substance has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

“Drug-related crime” means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance;

“Recipient.”—The term recipient means the Secretary of Housing and Urban Development.

“Establishment.”—The Secretary may make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101) for use in eliminating drug-related and violent crime.

“Grants under this section.”—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals.
(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(b) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs or drug-related problems funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents; and

(8) sports programs and sports activities that primarily youths from housing projects funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drug-related problems in and around those projects.

d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around the housing administered or owned by the applicant for which the application is being submitted;

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subpart (d)(2), the Secretary may consider whether housing projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 101(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantees in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section 105(b).

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section among public housing agencies, including provisions used to provide for renewals of ongoing programs funded under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section (d)(2) are not used for the provision of services as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall inform the Federal Register not less frequently than annually of all grant awards made pursuant to this section, which shall include the names and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement between the Secretary and an eligible recipient, as described in subsection (h)(2).

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (h)(1) of baseline services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, which may include the use of on-site monitoring, independent public audit requirements, certification by tribal or Federal law enforcement officials, and other measures to ensure the baseline of services are provided to eligible recipients, and any applicable enforcement or other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

(bb) SECRETARY OF VETERANS AFFAIRS.—

After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

(1) I N GENERAL.—Except as provided in subparagraph (A), the Secretary shall carry out the Tribal HUD–VASH program under paragraph (1) of this subsection.

(2) ADVANCED DETERMINATION.—The Secretary shall make amounts for rental assistance and support services available under the Program to eligible recipients to serve eligible Indian veterans.

(i) DEFINITIONS.—In this subparagraph:

(I) IN GENERAL.—The term 'Indian veteran' means an Indian veteran who is—

(aa) homeless or at risk of homelessness; and

(bb) living—

(A) on or near a reservation; or

(B) in or near any other Indian area.

(ii) PROVISION OF A MOUNT.—The term 'eligi-ible recipient' means a recipient eligible to receive a grant under section 101 of the Na-


(iii) GRANT PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

(iv) T RIBAL ORGANIZATION.—The term 'Tribal organization' means an Indian tribe that is—

(A) a signatory party to a contract entered into under subparagraph (B) of this paragraph to carry out the Program; and

(B) in or near any Indian area.

(v) IN GENERAL.—To receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs; and

(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

(vii) UTILIZATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

(I) grant recipients; Tribal organizations; The Secretary, in coordination with the Tribal organizations, shall con-
of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

"(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

"(viii) WAIVER.—

"(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under this subsection. The Secretary may use waiver or alternative requirements necessary to achieve the effective delivery and administration of rental assistance under this Program to eligible Indian veterans.

"(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

"(ix) RENEWAL GRANTS.—The Secretary may—

"(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (II), amounts that may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

"(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

"(x) REPORTING.—

"(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subpart, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

"(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

"(bb) submit a report describing the results of the review under item (aa) to—

"(AA) the Committee on Indian Affairs, the Committee on Banking, Housing and Urban Affairs, the Committee on Veterans’ Affairs, and the Committee on Appropriations of the Senate; and

"(BB) the Subcommittee on Indian, Insular and International Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans’ Affairs, and the Committee on Appropriations of the House of Representatives.

"(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

"(aa) any regulations governing the use of formula current assisted stock (as defined in section 5202 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

"(bb) the number of recipients of grants under the Program who have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

"(cc) proposed alternative legislation or regulation by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.

SEC. 5124. LEVERAGING.

All funds received under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such grants made pursuant to the Native American Housing Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 2208. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XVIII—BUREAU OF RECLAMATION

Subtitle A—Water Supply Infrastructure Rehabilitation and Utilization

SEC. 4801. AGING INFRASTRUCTURE ACCOUNT.

Section 9603 of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 516b) is amended by adding at the end the following:

"(d) AGING INFRASTRUCTURE ACCOUNT.—

"(1) ESTABLISHMENT.—There is established in the Account a specific special account, to be known as the ‘Aging Infrastructure Account’ (referred to in this subsection as the ‘Account’), to provide funds and for the extended repayment of the funds of the Account to, and for the extended repayment of the funds of the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for the conduct of extraordinary operation and maintenance work under this section, which shall consist of—

"(A) any amounts that are specifically appropriated to the Account under section 9606; and

"(B) any amounts deposited in the Account under paragraph (3)(B).

"(2) EXPENDITURES.—Subject to appropriations and paragraph (3), the Secretary may expend amounts in the Account to fund and provide for the extended repayment of the funds of the Account to, and for the extended repayment of the funds of the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for the conduct of extraordinary operation and maintenance work under this section, which shall consist of—

"(I) any amounts that are specifically appropriated to the Account under section 9606; and

"(II) any amounts deposited in the Account under paragraph (3)(B).

"(3) APPROPRIATIONS.—"(A) IN GENERAL.—The Secretary may not expend amounts under paragraph (2) with respect to an eligible project described in that paragraph unless the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for the conduct of extraordinary operation and maintenance work under this section has entered into a contract to repay the amounts under subsection (b)(2).

"(B) DEPOSIT OF REPAID FUNDS.—Amounts repaid by a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs receiving funds under a repayment contract entered into under this subsection shall be deposited in the Account and shall be available to the Secretary for expenditure in accordance with this subsection without further appropriation.

"(4) APPLICATION FOR FUNDING.—

"(A) IN GENERAL.—Not less than once per fiscal year, the Secretary shall accept, during an application period established by the Secretary, applications from transferred works operating entities or project beneficiaries responsible for payment of reimbursable costs for funds and extended repayment for eligible projects.

"(B) ELIGIBLE PROJECT.—A project eligible for funding and extended repayment under this subsection is a project that—

"(I) is for the major, non-recurring maintenance of a mission-critical asset; and

"(II) is not eligible to be carried out or funded under the repayment provisions of section 4(c) of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 508(c)).

"(C) GUIDELINES FOR APPLICATIONS.—Not later than 60 days after the date of enactment of this subsection, the Secretary shall issue guidelines determining the minimum necessary repayment period that is different than the repayment period proposed in the application, the minimum necessary repayment period required by the Secretary; and

"(D) REVIEW OF APPLICATION.—Nothing in this subsection affects—

"(A) any funding provided, or contracts entered into, under subsection (a) before the date of enactment of this subsection; or

"(B) the use of funds and the balance of funds in the Account as of the date of the report.
SEC. 4802. AUTHORIZATION OF APPROPRIATIONS FOR THE RECLAMATION SAFETY OF DAMS ACT OF 1978.

Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended, in the first sentence, by inserting ‘‘, and, effective October 1, 2019, not to exceed an additional $560,000 (600,000, price levels)’’ before ‘‘plus or minus’’.

Subtitle B—Aquifer Recharge Flexibility

SEC. 4811. DEFINITIONS.

In this subtitle:

(1) BUREAU.—The term ‘‘Bureau’’ means the Bureau of Reclamation.

(2) COMMISSIONER.—The term ‘‘Commissioner’’ means the Commissioner of Reclamation.

(3) ELIGIBLE LAND.—The term ‘‘eligible land’’ with respect to a Reclamation project, means land that—

(A) is authorized to receive water under State law; and

(B) shares an aquifer with land located in the service area of the Reclamation project.

(4) NET WATER STORAGE BENEFIT.—The term ‘‘net water storage benefit’’ means an increase in the volume of water that is—

(A) stored in 1 or more aquifers; and

(B)(i) available for use within the authorized scope of a Reclamation project; or

(ii) stored on a long-term basis to avoid or reduce groundwater overdraft.

(5) RECLAMATION FACILITY.—The term ‘‘Reclamation facility’’ means each of the infrastructure assets that are owned by the Bureau at a Reclamation project.

(6) RECLAMATION PROJECT.—The term ‘‘Reclamation project’’ means any reclamation or irrigation project, including incidental features thereof, authorized by Federal reclamation law or the Act of August 11, 1939 (commonly known as the ‘‘Water Conservation and Utilization Act’’) (53 Stat. 1418, chapter 717; 16 U.S.C. 590y et seq.), or constructed by the United States pursuant to such law, or in connection with which there is a repayment or water service contract executed by the United States pursuant to such law, or any project constructed by the Secretary through the Bureau for the reclamation of land.

(7) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Interior.

SEC. 4812. FLEXIBILITY TO ALLOW GREATER AQUIFER RECHARGE IN WESTERN STATES.

(a) USE OF RECLAMATION FACILITIES.—

(1) IN GENERAL.—The Commissioner may allow the use of excess capacity in Reclamation facilities for aquifer recharge of non-Reclamation project water, subject to applicable rates, charges, and public participation requirements, on the condition that—

(A) the use—

(i) shall not be implemented in a manner that is detrimental to—

(I) any power service or water contract for the Reclamation project; or

(II) any obligations for fish, wildlife, or water quality protection applicable to the Reclamation project;

(ii) shall be consistent with water quality guidelines for the Reclamation project;

(iii) shall comply with all applicable—

(I) Federal laws; and

(II) policies of the Bureau; and

(iv) applicable State laws and policies; and

(B) the non-Federal party to an existing contract for water or water capacity in a Reclamation project, and the Secretary shall—

(i) enter into a cooperative agreement with the non-Federal party with respect to the use of the Reclamation facility under this subsection.

(2) EFFECT ON EXISTING CONTRACTS.—Nothing in this subsection affects a cooperative agreement as agreed to in effect on the date of enactment of this Act; and

(B) under which the use of excess capacity in a Bureau conveyance facility for carriage of non-Reclamation project water for aquifer recharge is allowed.

(B) AQUIFER RECHARGE ON ELIGIBLE LAND.—

(1) IN GENERAL.—Subject to paragraphs (3) and (4), the Secretary may contract with a holder of a water service or repayment contract for a Reclamation project to allow the contractor, in accordance with applicable State laws and policies—

(A) to directly use water available under the contract for aquifer recharge on eligible land; or

(B) to enter into an agreement with an individual or entity to transfer water available under the contract for aquifer recharge on eligible land.

(2) AUTHORIZED PROJECT USE.—The use of a Reclamation facility for aquifer recharge under paragraph (1) shall be considered an authorized use for the Reclamation project if requested by a holder of a water service or repayment contract for the Reclamation facility.

(3) MODIFICATIONS TO CONTRACTS.—The Secretary may contract with a holder of a water service or repayment contract for a Reclamation project to modify a contract under paragraph (1) if the Secretary determines that a new contract or contract amendment described in that paragraph is—

(A) necessary to allow for the use of water available under the contract for aquifer recharge under this subsection;

(B) in the best interest of the Reclamation project and the United States; and

(C) approved by the contractor that is responsible for repaying the cost of construction, operations, and maintenance of the facility that delivers the water under the contract.

(4) REQUIREMENTS.—The use of Reclamation facilities for the use or transfer of water shall be subject to the requirements that—

(A) the use or transfer shall not be implemented in a manner that materially impacts any power service or water contract for the Reclamation project; and

(B) before the use or transfer, the Secretary shall determine that the use or transfer—

(i) results in a net water storage benefit for the Reclamation project; or

(ii) contributes to an aquifer recharge of an aquifer on eligible land; and

(C) the use or transfer complies with all applicable—

(i) Federal laws and policies; and

(ii) interstate water compacts.

(5) CONVEYANCE FOR AQUIFER RECHARGE PURPOSES.—The holder of a right-of-way, easement, permit, or other authorization to transport water across public land administered by the Bureau of Land Management may transport water for aquifer recharge purposes without requiring additional authorization from the Secretary where the use does not expand or modify the operation of the right-of-way, easement, permit, or other authorization across public land.

(d) EXEMPTION.—Nothing in this subtitle creates, impairs, alters, or supersedes a Federal or State water right.

(4) STATE.—The term ‘‘State’’ means the State of Montana.

SEC. 4822. MUSSELSHELL-JUDITH RURAL WATER SYSTEM.

(a) AUTHORIZATION.—The Secretary may carry out the planning, design, and construction of the Musselshell-Judith Rural Water System in a manner that is substantially in accordance with the feasibility report entitled ‘‘Musselshell-Judith Rural Water System Feasibility Report’’ (including any and all appendices of the report).

(b) COOPERATIVE AGREEMENT.—The Secretary shall enter into a cooperative agreement with the Authority to provide Federal assistance for the planning, design, and construction of the Musselshell-Judith Rural Water System.

(c) COST-SHARING REQUIREMENT.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the costs relating to the planning, design, and construction of the Musselshell-Judith Rural Water System shall be 85 percent of the total cost of the Musselshell-Judith Rural Water System.

(B) LIMITATION.—Amounts made available under subparagraph (A) shall not be repayable or reimbursable under the reclamation laws.

(2) USE OF FEDERAL FUNDS.—Subject to subparagraph (B), the Musselshell-Judith Rural Water System may use Federal funds made available to carry out this section for—

(I) facilities relating to—

(II) pumping stations;

(III) water treatment;

(IV) water storage;

(V) water supply wells;

(VI) distribution pipelines; and

(VI) control systems;

(II) transmission pipelines;

(III) pumping station;

(IV) appurtenant buildings, maintenance equipment, and access roads;

(v) any interconnection facility that connects a pipeline of the Musselshell-Judith Rural Water System to a pipeline of a public water system;

(IV) any interconnection facility that connects a pipeline of the Musselshell-Judith Rural Water System to a pipeline of a public water system;

(e) EXEMPTION.—This subtitle shall not apply to the State of California.

Subtitle C—Clean Water for Rural Communities

SEC. 4823. MUSSELSHELL-JUDITH RURAL WATER SYSTEM.

(1) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the costs relating to the planning, design, and construction of the Musselshell-Judith Rural Water System shall be 85 percent of the total cost of the Musselshell-Judith Rural Water System.

(B) LIMITATION.—Amounts made available under subparagraph (A) shall not be repayable or reimbursable under the reclamation laws.

(2) USE OF FEDERAL FUNDS.—Subject to subparagraph (B), the Musselshell-Judith Rural Water System may use Federal funds made available to carry out this section for—

(I) facilities relating to—

(II) pumping stations;

(III) water treatment;

(IV) water storage;

(V) water supply wells;

(VI) distribution pipelines; and

(VI) control systems;

(II) transmission pipelines;

(III) pumping station;

(IV) appurtenant buildings, maintenance equipment, and access roads;

(v) any interconnection facility that connects a pipeline of the Musselshell-Judith Rural Water System to a pipeline of a public water system;

(IV) any interconnection facility that connects a pipeline of the Musselshell-Judith Rural Water System to a pipeline of a public water system;
SEC. 4824. DRY-REDWATER FEASIBILITY STUDY.

(a) DEFINITIONS.—In this section:

(1) DRY-REDWATER REGIONAL WATER AUTHORITY.—The term ‘‘Dry-Redwater Regional Water Authority’’ means—

(A) the Dry-Redwater Regional Water Authority, a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. 75–6–302 (2007); and

(B) any nonprofit successor entity to the Authority described in subparagraph (A).

(2) DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.—The term ‘‘Dry-Redwater Regional Water Authority System’’ means the project entitled the ‘‘Dry-Redwater Regional Water Authority System’’, with a project service area that includes—

(A) Garfield and McCone Counties in the State; and

(B) the area west of the Yellowstone River in Dawson and Richland Counties in the State.

(C) T. 15 N. (including the area north of the Township) in Prairie County in the State; and

(D) the portion of McKenzie County, North Dakota, that includes all land that is located west of the Yellowstone River in the State of North Dakota.

(3) RELOCATION FEASIBILITY STANDARDS.—The term ‘‘relocation feasibility standards’’ means the eligibility criteria and feasibility study requirements described in section 106 of the Reclamation Rural Water System study requirements described in section 106 of the Reclamation Rural Water System Act of 1984 (43 U.S.C. 1722l) (as amended by section 4831 of this Act).

(b) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the Dry-Redwater Regional Water Authority, may undertake a study, including a review of the submitted feasibility study, to determine the feasibility of constructing the Dry-Redwater Regional Water System.

(2) REQUIREMENT.—The study under paragraph (1) shall comply with the relocation feasibility standards.

(c) COOPERATIVE AGREEMENT.—If the Secretary determines that the study under subsection (b) does not comply with the relocation feasibility standards, the Secretary may enter into a cooperative agreement with the Dry-Redwater Regional Water Authority to complete additional work to ensure that the study complies with the relocation feasibility standards.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 to carry out this section.

(e) TERMINATION.—The authority provided by this section shall expire on the date that is 5 years after the date of enactment of this Act.

SEC. 4825. WATER RIGHTS.

Nothing in this subtitle—

(1) preempts or affects any State water law; or

(2) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

SEC. 4826. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There is authorized to be appropriated to carry out the planning, design, and construction of the Musselshell-Judith Rural Water System, substantially in accordance with the cost estimate set forth in the feasibility report described in section 4823(a), $56,650,000.

(b) COST INDEXING.—The amount authorized to be appropriated under subsection (a) may be increased or decreased in accordance with ordinary fluctuations in development costs incurred after November 1, 2014, as indicated by any applicable engineering cost indices applicable to construction activities that are similar to the construction of the Musselshell-Judith Rural Water System.

Subtitle D—Bureau of Reclamation Pumped Storage Hydropower Development

SEC. 4831. AUTHORITY FOR PUMPED STORAGE HYDROPOWER DEVELOPMENT USING MULTIPLE BUREAU OF RECLAMATION RESERVOIRS.

Section 9(e) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) is amended—

(1) in paragraph (1), by striking ‘‘has been filed with the Federal Energy Regulatory Commission’’ and inserting ‘‘was filed with the Federal Energy Regulatory Commission’’;

(2) in paragraph (2), by striking ‘‘has been filed with the Federal Energy Regulatory Commission as of the date of the enactment of this Act’’ and inserting ‘‘was filed with the Federal Energy Regulatory Commission before August 9, 2013, and is still pending’’;

(3) in paragraph (3), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(4) in section 4(f) of the Federal Power Act (43 U.S.C. 797(f)), in subsection (B), by striking ‘‘any authority of a State’’ and inserting ‘‘authority of a State’’;

(5) in section 5 of the Federal Power Act of 1939 (43 U.S.C. 485h), in subsection (a), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(6) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), in subsection (1), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(7) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(8) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), in subsection (2), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(9) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), in subsection (3), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(10) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), in subsection (4), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(11) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), in subsection (5), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(12) in section 5(b) of the Federal Power Act of 1939 (43 U.S.C. 485h(c)), in subsection (6), by striking ‘‘the Secretary’’ and inserting ‘‘Secretary’’;

(13) for any other authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

Subtitle E—Limitations on Issuance of Certain Leases of Power Privilege

SEC. 4832. LIMITATIONS ON ISSUANCE OF CERTAIN LEASES OF POWER PRIVILEGE.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ‘‘Commission’’ means the Federal Energy Regulatory Commission.

(2) DIRECTOR.—The term ‘‘Director’’ means the Director of the Office of Hearings and Appeals of the Federal Energy Regulatory Commission.


(4) PARTY.—The term ‘‘party’’, with respect to a study plan agreement, means each of the following parties to the study plan agreement:

(A) the proposed lessee;

(B) the Tribes.

(5) PROJECT.—The term ‘‘project’’ means a proposed pumped storage facility that—

(A) would use multiple Bureau of Reclamation reservoirs; and

(B) as of June 1, 2017, was subject to a preliminary permit issued by the Commission pursuant to section 4(f) of the Federal Power Act (16 U.S.C. 797(f)).

(6) PROPOSED LESSEE.—The term ‘‘proposed lessee’’ means the proposed lessee of a project.

(7) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Interior.

(b) STUDY PLAN AGREEMENT.—The term ‘‘study plan agreement’’ means an agreement entered into under subsection (b)(1) and described in subsection (c).

(c) STUDY PLAN AGREEMENT REQUIREMENTS.—

(1) IN GENERAL.—A study plan agreement shall—

(A) establish the deadlines for the proposed lessee to formally respond in writing to comments and study requests about the project previously submitted to the Commission;

(B) allow for the parties to submit additional comments and study requests if any aspect of the project, as proposed, differs from the project as described in a preapplication document provided to the Commission;

(C) except as expressly agreed to by the parties as or as provided in paragraph (2) or subsection (d), require that the proposed lessee conduct each study described in—

(i) a study request about the project previously submitted to the Commission; or

(ii) any additional study request submitted in accordance with the study plan agreement;

(D) require that the proposed lessee study any potential adverse economic effects of the project on the Tribes, including effects on—

(i) annual payments to the Confederated Tribes of the Colville Reservation under section 5(b) of the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law 103–436; 108 Stat. 4579); and

(ii) annual payments to the Spokane Tribe of Indians of the Spokane Reservation authorized after the date of enactment of this Act, to manage water resources within that State.

(E) require that the proposed lessee study any potential adverse economic effects of the project on the Tribes, including effects on—

(i) study requests about the project previously submitted to the Commission;

(F) require that the proposed lessee study any potential adverse economic effects of the project on the Tribes, including effects on—

(i) study requests about the project previously submitted to the Commission;

(G) contain any other provisions determined to be appropriate by the parties.

(d) STUDY PLAN.—

(A) IN GENERAL.—If the parties cannot agree to the terms of a study plan agreement or implementation of those terms, the parties shall submit to the Director, for final determination on the terms or implementation of the study plan agreement, notice of the dispute, consistent with paragraph (1)(F), to the extent the parties have agreed to a study plan agreement.

(B) INCLUSION.—A dispute covered by subparagraph (A) may include the view of a proposed lessee that an additional study request submitted in accordance with paragraph (1)(B) is not reasonably calculated to assist the Secretary in evaluating the potential impacts of the project.

(C) TIMING.—The Director shall issue a determination regarding a term of the study plan agreement described in subparagraph (A) not later than 120 days after the date on which the Director receives notice of the dispute under that subparagraph.

(d) STUDY PLAN AGREEMENT—

(1) IN GENERAL.—The proposed lessee shall submit to the Secretary for approval a study
plan that details the proposed methodology for performing each of the studies—
(A) identified in the study plan agreement of the proposed lessee; or
(B) approved by the Director in a final determination regarding a dispute under subsection (c)(2).
(2) INITIAL DETERMINATION.—Not later than 60 days after the date on which the Secretary receives the study plan under paragraph (1), the Secretary shall make an initial determination that—
(A) approves the study plan;
(B) rejects the study plan on the grounds that the study plan—
(i) is not in the public interest or is not consistent with the methodology for a study identified in the study plan agreement; or
(ii) is inconsistent with the study plan agreement.
(C) imposes additional study plan requirements that the Secretary determines are necessary to adequately define the potential effects of the project on—
(i) the exercise of the paramount hunting, fishing, and boating rights of the Tribes reserved pursuant to the Act of June 29, 1940 (54 Stat. 763, chapter 460, 16 U.S.C. 835d et seq.);
(ii) the annual payments described in clauses (i) and (ii) of subsection (c)(1)(C);
(iii) the Turkey Basin project (as defined in section 1 of the Act of May 27, 1937 (50 Stat. 208, chapter 269; 57 Stat. 14, chapter 14; 16 U.S.C. 835d));
(iv) historic properties and cultural or spiritually significant resources; and
(v) the environment.
(3) OBJECTIONS.—(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary makes an initial determination under paragraph (2), the Secretary shall notify the proposed lessee that may submit an objection to the Director an objection to the initial determination.
(B) FINAL DETERMINATION.—Not later than 120 days after the date on which the Director receives an objection under subparagraph (A), the Director shall—
(i) hold a hearing on the record regarding the objection; and
(ii) make a final determination that establishes the study plan, including a description of studies the proposed lessee is required to perform.
(4) NO OBJECTIONS.—If no objections are submitted by the deadline described in paragraph (3)(A), the initial determination of the Secretary under paragraph (2) shall be final.
(e) CONDITIONS OF LEASE.—
(1) CONSISTENCY WITH RIGHTS OF TRIBES; PROTECTION, MANAGEMENT, AND ENHANCEMENT OF FISH AND WILDLIFE.—
(A) IN GENERAL.—Any lease of power privilege issued by the Secretary for a project under subsection (b) shall contain a finding that the lease of the project to make direct payments to the Tribes through reasonable annual charges in an amount that recompenses the Tribes for any adverse economic effects of the project identified in a study performed pursuant to the study plan agreement for the project.
(B) AGREEMENT.—
(i) IN GENERAL.—The amount of the annual charges described in subparagraph (A) shall be established through agreement between the proposed lessee and the Tribes.
(ii) CONDITION.—The agreement under clause (i), including any modification of the agreement, shall be deemed to be a condition to the lease of power privilege issued by the Secretary for a project under subsection (b).
(C) DISPUTE RESOLUTION.—
(i) IN GENERAL.—If the proposed lessee and the Tribes cannot agree to the terms of an agreement under subparagraph (B)(i), the proposed lessee and the Tribes shall submit notice of the dispute to the Director.
(ii) RESOLUTION.—The Director shall resolve the dispute described in clause (i) not later than 180 days after the date on which the Director receives notice of the dispute under that clause.
(3) ADDITIONAL CONDITIONS.—The Secretary may include in any lease of power privilege issued by the Secretary for a project under subsection (b) other conditions determined appropriate by the Secretary, on the condition that the conditions shall be consistent with the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq).
(4) CONSULTATION.—In establishing conditions under this subsection, the Secretary shall consult with the Tribes.
(f) DEADLINES.—The Secretary or any officer of the Office of Hearing and Appeals before whom a proceeding is pending under this section may extend any deadline or enlarge any timeframe described in this section—
(A) at the discretion of the Secretary or the officer; or
(B) on a showing of good cause by any party.
(g) JUDICIAL REVIEW.—Any final action of the Secretary or the Director made pursuant to this section shall be subject to judicial review in accordance with chapter 7 of title 5, United States Code.
(h) EFFECT ON OTHER PROJECTS.—Nothing in this section establishes any precedent or is binding on any other project used for the purposes of wheeling, administration, and payment of project use power, including the applicability of provisions relating to the treatment of costs beyond the ability to pay under section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665).
(i) LIMITATION.—The quantity of power to be provided to the Project is not more than 65 percent of that total cost before the period at the end;
SEC. 4843. KLAMATH BASIN WATER SUPPLY ENHANCEMENT ACT OF 2000 TECHNICAL CORRECTIONS.

Section 4 of the Klamath Basin Water Supply Enhancement Act of 2000 (114 Stat. 2222; 132 Stat. 3887) is amended—

(1) in paragraph (1)—

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

(i) by striking "Pursuant to the reclamation laws and subject" and inserting "Subject"; and

(ii) by striking "may" and inserting "is authorized to"; and

(B) in subparagraph (A), by inserting "inclusion of conservation and efficiency measures, land idling, and use of groundwater," after "administer programs";

(2) in paragraph (5)(A), by inserting "and" after the semicolon at the end;

(3) by redesignating the second paragraph (4) (relating to the effect of the subsection as paragraph (5); and

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

(A) by striking subparagraph (B);

(B) in subparagraph (A), by striking "; or" and inserting a period; and

(C) by striking "the Secretary and" and all that follows through "to develop" in subparagraph (A) and inserting "the Secretary to develop."
(iv) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(B) Copy of Report.—The working group shall submit a copy of the report described in subparagraph (A) to—

(i) the Committee on Commerce, Science, and Transportation; and

(ii) any of the committees, upon request, of the Congress, upon request to the working group.

(d) Assessing Spectrum Needs.—

(1) In General.—The Commission, in consultation with the Secretary of Commerce, and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(2) Requirements.—In issuing the notice of inquiry under paragraph (1), the Commission shall seek comments that consider and evaluate—

(A) whether adequate spectrum is available, or is planned for allocation, for commercial wireless services that could support the growing Internet of Things;

(B) if adequate spectrum is not available for the purposes described in subparagraph (A), how to ensure that adequate spectrum is available for increased demand with respect to the Internet of Things;

(C) what regulatory barriers may exist to providing any needed spectrum that would support uses relating to the Internet of Things; and

(D) what the role of unlicensed and licensed spectrum is and will be in the growth of the Internet of Things.

(3) Report.—Not later than 1 year after the date of enactment of this Act, the Commission shall—

(i) analyze the issues raised in the notice of inquiry described in paragraph (1);

(ii) develop and issue a final determination on the notice of inquiry described in paragraph (1); and

(iii) submit the report described in paragraph (1) to the appropriations committees; and

(iv) make any needed updates to the notice of inquiry described in paragraph (1).
and warning system”) while maintaining the integrity of the public alert and warning system, including—

(1) guidance on the categories of public emergencies and appropriate circumstances that warrant an alert and warning from State, Tribal, and local governments using the public alert and warning system;
(2) for State, Tribal, and local government officials to authenticate civil emergencies and initiate, modify, and cancel alerts transmitted through the public alert and warning system, including protocols and technology capabilities for—
(A) the initiation, or prohibition on the initiation, of alerts by a single authorized or unauthorized individual;
(B) testing a State, Tribal, or local government incident management and warning tool without accidentally initiating an alert through the public alert and warning system; and
(C) steps a State, Tribal, or local government official should take to mitigate the possibility of the issuance of a false alert through the public alert and warning system;
(3) the standardization, functionality, and interoperability of incident management and warning tools used by State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;
(4) the annual training and recertification of emergency management personnel on requirements for originating and transmitting an alert through the public alert and warning system;
(5) the procedures, protocols, and guidance concerning the protective action plans that State, Tribal, and local governments should issue to the public following an alert issued under the public alert and warning system;
(6) the procedures, protocols, and guidance concerning the communications that State, Tribal, and local governments should issue to the public following a false alert issued under the public alert and warning system;
(7) a plan by which State, Tribal, and local government officials may, during an emergency, contact each other as well as Federal officials and participants in the Emergency Alert System and the Wireless Emergency Alerts System, when appropriate and necessary, by telephone, text message, or other means to share information regarding an alert that has been distributed to the public; and
(8) any other procedure the Administrator considers appropriate for maintaining the integrity of the public alert and warning system.

SEC. 1095. FALSE ALERT REPORTING.

Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alerts System for the purpose of recording such false alerts and examining their causes.

SEC. 1096. REPEATING EMERGENCY ALERT SYSTEM MESSAGES FOR NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to permit repeating Alert System messages while an alert remains pending that is issued by—
(1) the President;
(2) the Administrator; or
(3) any other entity under specified circumstances as determined by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a)—
(1) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terror attack, or other act of war; and
(2) shall not apply to more typical warnings, such as a weather alert, Amber Alert, or disaster alert.

SEC. 1098. INTERNET AND ONLINE STREAMING OF EMERGENCY ALERT EXAMINATION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, and after provision of notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable emergency alert messages to be provided to consumers provided through the internet, including through streaming services.

(b) REPORT.—Not later than 90 days after completing the inquiry under subsection (a), the Commission shall submit a report on the findings and conclusions of the inquiry to—
(1) the Committee on Commerce, Science, and Transportation of the Senate; and
(2) the Committee on Energy and Commerce of the House of Representatives.

SA 2211. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Medical Supply Transparency and Delivery Act”.

SEC. 1092. EMERGENCY PRODUCTION OF MEDICAL EQUIPMENT AND SUPPLIES TO ADDRESS COVID-19.

(a) EXECUTIVE OFFICER FOR CRITICAL MEDICAL EQUIPMENT AND SUPPLIES.—

(1) APPOINTMENT.—Not later than 3 days after the date of the enactment of this Act, the Secretary of Defense may appoint, detail, or temporarily assign a civilian to serve as the Executive Officer for Critical Medical Equipment and Supplies (in this section referred to as the “Executive Officer”), who shall—
(A) direct, through the National Response Coordination Center of the Federal Emergency Management Agency, the national production and distribution of critical medical equipment and supplies, including personal protective equipment, in support of the response to COVID-19;
(B) report directly to the Administrator of the Federal Emergency Management Agency to the Coronavirus Disease 2019 (commonly known as “COVID-19”); and
(C) report directly to the Administrator of the Federal Emergency Management Agency to the Coronavirus Disease 2019 (commonly known as “COVID-19”); and

(b) REPORT.—Not later than 90 days after completing the inquiry under subsection (a), the Commission shall submit a report on the findings and conclusions of the inquiry to—
(1) the Committee on Commerce, Science, and Transportation of the Senate; and
(2) the Committee on Energy and Commerce of the House of Representatives.

SA 2212. Mr. SCOTT of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COTTON, Mr. RUBIO, Mr. HAWLEY, and Ms. MCSALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Supply Transparency and Delivery of Medical Supplies

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Medical Supply Transparency and Delivery Act”.

SEC. 1092. EMERGENCY PRODUCTION OF MEDICAL EQUIPMENT AND SUPPLIES TO ADDRESS COVID-19.

(a) EXECUTIVE OFFICER FOR CRITICAL MEDICAL EQUIPMENT AND SUPPLIES.—

(1) APPOINTMENT.—Not later than 3 days after the date of the enactment of this Act, the Secretary of Defense may appoint, detail, or temporarily assign a civilian to serve as the Executive Officer for Critical Medical Equipment and Supplies (in this section referred to as the “Executive Officer”), who shall—
(A) direct, through the National Response Coordination Center of the Federal Emergency Management Agency, the national production and distribution of critical medical equipment and supplies, including personal protective equipment, in support of the response to COVID-19;

(b) REPORT.—Not later than 90 days after completing the inquiry under subsection (a), the Commission shall submit a report on the findings and conclusions of the inquiry to—
(1) the Committee on Commerce, Science, and Transportation of the Senate; and
(2) the Committee on Energy and Commerce of the House of Representatives.
serve as the Executive Officer from among individuals with sufficient experience in defense and industrial acquisition and production matters, including such matters as described in section 303(a)(13) of title 10, United States Code.

(3) AUTHORITY.—The Executive Officer, acting through the National Response Coordination Center, shall, in coordination with the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of the Treasury, (a) establish a comprehensive plan to scale production and optimize distribution of COVID–19 testing, including respiratory testing, as needed, (b) identify necessary supply chain issues in order to effectively and efficiently procure personal protective equipment, including—

(A) personal protective equipment, including personal protective equipment and medical devices; (B) medical devices, including molecular, antigen, and serological tests necessary to prevent, identify, mitigate, and recover from cases of COVID–19, including personal protective equipment, ventilators, respiratory support supplies, and emergency food sources, for each month during the 2–year period beginning on the date of the enactment of this Act; and (C) a comprehensive plan to scale production and optimize distribution of COVID–19 testing, including respiratory testing, as needed, (d) determine the quantities of equipment and supplies in the Strategic National Stockpile as of the date of the report and projected quantities and the projected gap between the quantities of equipment and supplies identified as needed in the assessment under subparagraph (A) and the quantities in the Stockpile; (e) an identification of the industry sectors that are not prepared to fulfill purchase orders or purchase guarantees or purchase orders, purchase guarantees, or agreements to manufacture such equipment and supplies; (f) an estimate of the funding and other measures necessary to rapidly expand manufacturing capacity for such equipment and supplies, including—

(i) any efforts to expand, retool, or reconfigure production lines; (ii) efforts to establish new production lines through the purchase and installation of new equipment; or (iii) the issuance of additional contracts, purchase orders, purchase guarantees, or other similar measures; (g) an identification of government and privately owned stockpiles of equipment and supplies identified as needed in the assessment under paragraph (1) in subsection (c) that could be repaired or reconditioned; (h) an inventory of the national production capacity for equipment and supplies identified as needed in the assessment under subparagraph (A); and (i) an identification of the needs of essential workers and similar workers in the workforce identified as critical.

(4) RESPONSIBILITIES.—The Executive Officer, as the officer overseeing the acquisition and logistics functions of the response by the National Response Coordination Center to COVID–19, shall—

(A) receive all requests for equipment and supplies, including personal protective equipment from States and Indian Tribes;
(B) make recommendations to the President concerning the full authorities available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to increase production capacity by the Federal agencies; (C) receive data from the Federal agencies and from each State, the District of Columbia, and the territories of the United States and Indian Tribes for equipment and supplies identified in reports submitted under section 303; (D) collect and compile all data related to the response by the Federal agencies and other Federal agencies as appropriate, all distribution of critical equipment and supplies to the States and Indian Tribes, through existing commercial distributors, and to individuals and service organizations; (E) communicate with State and local governments and Indian Tribes with respect to availability and delivery schedule of equipment and supplies; (F) provide the COVID–19 strategic testing plan required under title I of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–139) to ensure the Secretary of Health and Human Services, the Secretary of the Treasury, the Secretary of the Department of Health and Human Services, the Secretary of Defense, the Secretary of the Department of Health and Human Services, the Defense Logistics Agency, and the Federal Emergency Management Agency, the Department of Veterans Affairs, and any other appropriate Federal agencies.

(5) TRANSPARENCY.—The Executive Officer shall, in coordination with the Federal Emergency Management Agency, the Department of Health and Human Services, the Department of the Treasury, and the Federal Emergency Management Agency, the Department of Veterans Affairs, and other Federal agencies as appropriate, submit to Congress and the President, and publish in a timely manner in the Federal Register a summary of, a report including—

(A) an assessment of the needs of the States and Indian Tribes and Indian Tribes with respect to availability and delivery schedule of equipment and supplies; (B) an inventory of the national production capacity for equipment and supplies identified as needed in the assessment under paragraph (1) in subsection (c); (C) an identification of the stockpiles of equipment and supplies available; (D) an identification of previously distributed personal protective equipment that could be repaired or reconditioned; (E) an estimate of the funding and other measures necessary to rapidly expand manufacturing capacity for such equipment and supplies, including—

(i) any efforts to expand, retool, or reconfigure production lines; (ii) efforts to establish new production lines through the purchase and installation of new equipment; or (iii) the issuance of additional contracts, purchase orders, purchase guarantees, or other similar measures; (F) an identification of government and privately owned stockpiles of equipment and supplies identified as needed in the assessment under paragraph (1) in subsection (c) that could be repaired or reconditioned; (G) an inventory of the national production capacity for equipment and supplies identified as needed in the assessment under subparagraph (A); and (H) an identification of the needs of essential workers and similar workers in the workforce identified as critical.

(6) REQUIREMENTS.—The Executive Officer shall—

(A) the reports required by subsection (a); (B) an assessment of the quantities of equipment and supplies identified as needed in the assessment under paragraph (1) in subsection (c); (C) the date of each such delivery; (D) an estimate of the funding and other measures necessary to rapidly expand manufacturing capacity for such equipment and supplies, including—

(i) any efforts to expand, retool, or reconfigure production lines; (ii) efforts to establish new production lines through the purchase and installation of new equipment; or (iii) the issuance of additional contracts, purchase orders, purchase guarantees, or other similar measures; (E) an identification of government and privately owned stockpiles of equipment and supplies identified as needed in the assessment under paragraph (1) in subsection (c) that could be repaired or reconditioned; (F) an identification of previously distributed personal protective equipment that could be repaired or reconditioned; (G) the percentage amounts of procured products used to replenish the Strategic National Stockpile, targeted to COVID–19 hotspots, or going into the commercial market; (H) metrics, formulas, and criteria used to determine hotspots or areas of critical need at the State, county, and Indian Health Service area level; (I) an estimate of the funding and other measures necessary to rapidly expand manufacturing capacity for such equipment and supplies, including—

(i) any efforts to expand, retool, or reconfigure production lines; (ii) efforts to establish new production lines through the purchase and installation of new equipment; or (iii) the issuance of additional contracts, purchase orders, purchase guarantees, or other similar measures; (J) an identification of government and privately owned stockpiles of equipment and supplies identified as needed in the assessment under paragraph (1) in subsection (c) that could be repaired or reconditioned; (K) an identification of the needs of essential workers and similar workers in the workforce identified as critical.

(7) TERMINATION.—The office of the Executive Officer shall terminate 30 days after the Executive Officer certifies in writing to Congress that all needs of States and Indian Tribes identified in reports submitted under subsection (c) have been met and all Federal Government stockpiles have been replenished.

(8) COMMERCIAL SECTOR PARTICIPATION.—

(1) IN GENERAL.—The Executive Officer shall—

(A) establish a fair and reasonable price for the sale of equipment and supplies identified in the reports required by subsection (c) and (D) in the reports required by this section; (B) issue rated priority purchase orders pursuant to the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), shall—

(A) establish a fair and reasonable price for the sale of equipment and supplies identified in the reports required by subsection (b) and (D) in the reports required by this section; (C) provide the COVID–19 strategic testing plan required by title I of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–139) to ensure the Secretary of Health and Human Services, the Secretary of the Treasury, the Secretary of the Department of Health and Human Services, the Department of Veterans Affairs, and the Department of the Treasury.

(9) AUTHORIZATION OF CONGRESS TO IMPOSE PRICE CONTROLS.—The President, using authorities provided under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), shall—

(A) establish a fair and reasonable price for the sale of equipment and supplies identified in the reports required by subsection (c) and (D) in the reports required by this section; (B) issue rated priority purchase orders pursuant to the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), shall—

(A) establish a fair and reasonable price for the sale of equipment and supplies identified in the reports required by subsection (b) and (D) in the reports required by this section; (C) provide the COVID–19 strategic testing plan required by title I of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–139) to ensure the Secretary of Health and Human Services, the Secretary of the Treasury, the Secretary of the Department of Health and Human Services, the Department of Veterans Affairs, and the Department of the Treasury.

(f) FUNDING.—Amounts available in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) shall be available for purchases made under this section.

(g) DEFINITIONS.—In this section—

(1) INDIAN TRIBE.—The term "Indian Tribe" has the meaning given the term "Indian tribe" in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 7004).
(2) INDIAN HEALTH SERVICE AREA.—The term “Indian Health Service area” has the meaning given the term “Service area” in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1683).

(3) STATE.—The term “State” means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

(4) UNIFORMED SERVICES.—The term “uniformed services” has the meaning given that term in section 101 of title 37, United States Code.

SEC. 1083. ANNUAL COMPTROLLER GENERAL REPORT.

Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report assessing the Strategic National Stockpile, including—

(1) recommendations for preparing for and responding to future pandemics;

(2) recommendations for changes to the Strategic National Stockpile, including—

(a) with respect to how much personal protective equipment used for the COVID-19 response was sourced within the United States and how much was sourced from the People’s Republic of China and other foreign countries; and

(b) recommendations with respect to how to ensure that the United States supply chain for personal protective equipment is better equipped to respond to emergencies, including through the use of funds in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4543) to address shortages in that supply chain; and

(3) in the case of the first report required to be submitted under this section—

(A) an assessment with respect to how much personal protective equipment used for the COVID-19 response was sourced within the United States and how much was sourced from the People’s Republic of China and other foreign countries; and

(B) recommendations with respect to how to ensure that the United States supply chain for personal protective equipment is better equipped to respond to emergencies, including through the use of funds in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4543) to address shortages in that supply chain; and

(4) in the case of each subsequent report required to be submitted under this section—

(A) an assessment with respect to how much personal protective equipment used for the COVID-19 response was sourced within the United States and how much was sourced from the People’s Republic of China and other foreign countries; and

(B) recommendations with respect to how to ensure that the United States supply chain for personal protective equipment is better equipped to respond to emergencies, including through the use of funds in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4543) to address shortages in that supply chain; and

(5) a review of the implementation during that year of the recommendations required by paragraph (3)(B).

SEC. 1094. OVERSIGHT.

(a) GENERAL.—The Chairperson of the Council of the Inspectors General on Integrity and Efficiency shall designate any Inspector General responsible for conducting oversight of any program or operation performed in support of this subtitle to oversee the implementation of this subtitle, to the maximum extent practicable and consistent with the duties, responsibilities, policies, and procedures of that Inspector General.

(b) REMOVAL.—The designation of an Inspector General under subsection (a) may be terminated only for permanent incapacity, inefficiency, neglect of duty, malfeasance, or conviction of a felony or conduct involving moral turpitude.

SA 2213. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4094, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, the National Security, the United States Courthouse Construction Account, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2865. LEASE EXTENSION FOR BRYAN MULTI-SPORTS COMPLEX, WAYNE COUNTY, NORTH CAROLINA.

(a) AUTHORITY.—The Secretary of the Air Force may extend to the City of Goldsboro the existing lease of the approximately 62-acre Bryan Multi-Sports Complex located in Wayne County, North Carolina, for the purpose of operating a sports and recreation facility for the benefit of both the Air Force and the community.

(b) DURATION.—At the option of the Secretary of the Air Force, the lease entered into under this section may be extended for up to 30 additional years with a total lease period not to exceed 50 years.

(c) PAYMENTS UNDER THE LEASE.—The Secretary of the Air Force may waive the requirement under section 2667(b)(4) of title 10, United States Code, with respect to the lease entered into under this section if the Secretary determines that the lease enhances the quality of life of members of the Armed Forces.

(d) SENSE OF THE SENATE.—It is the sense of the Senate regarding the conditions governing the extension of the current lease for the Bryan Multi-Sports Complex that—

(A) the Senate has determined it is in the best interest of the community and the Air Force to extend the lease at no cost;

(B) the current lease allowed the Air Force to close their sports field on Seymour-Johnson Air Force Base and resulted in a savings of $15,000 per year in utilities and grounds maintenance costs;

(C) the current sports complex reduces force protection vulnerability now that the sports complex is located outside the fence line of the installation; and

(D) the facility has improved the quality of life for military families stationed at Seymour-Johnson Air Force Base by allowing members of the Armed Forces and their families to have access to world class sports facilities located adjacent to the installation and on-base privatized housing with easy access by junior enlisted members residing in the dorms.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President. I have 3 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, June 25, 2020, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, June 25, 2020, at 10 a.m., to conduct a hearing on nominations.

NATIONAL POST-TRAUMATIC STRESS AWARENESS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 618.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 618) designating June 2020 as “National Post-Traumatic Stress Awareness Month” and June 27, 2020, as “National Post-Traumatic Stress Awareness Day.”

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 618) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in the Record of June 15, 2020, under “Submitted Resolutions.”

ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM PERMANENT EXTENSION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged and the Senate proceed to the immediate consideration of S. 3377.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3377) to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

There being no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3377) was passed, as follows:

S. 3377

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

SECTION 1. SHORT TITLE.

The Act may be cited as the “Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act.”
SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Conspiracies among competitors to fix prices, rig bids, and allocate markets are categorically and irredeemably anticompetitive and contravene the competition policy of the United States.

(2) Cooperation incentives are important to the efforts of the Antitrust Division of the Department of Justice to prosecute and deter the offenses described in paragraph (1).

(b) PURPOSE.—The purpose of this Act, and the amendments made by this Act, is to strengthen public and private antitrust enforcement by providing incentives for antitrust violators to cooperate fully with government prosecutors and private litigants through the repeal of the sunset provision of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note).

SEC. 3. REPEAL OF SUNSET PROVISION.

(a) IN GENERAL.—Section 211 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 212 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is amended—

(1) by striking paragraph (6); and

(2) by redesignating paragraph (7) as paragraph (6).

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR MONDAY, JUNE 29, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Monday, June 29; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 483, S. 4049; and, finally, that notwithstanding rule XXII, all postcloture time on the motion to proceed to S. 4049 expire at 5:30 p.m.

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

ADJOURNMENT UNTIL MONDAY, JUNE 29, 2020, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:14 p.m., adjourned until Monday, June 29, 2020, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 25, 2020:

IN THE COAST GUARD


DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

HONORING PFC ROBERT WALKER, U.S. MARINE CORPS

HON. STEVEN M. PALAZZO
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. PALAZZO. Madam Speaker, I rise today to honor the outstanding work of PFC Robert Walker who celebrates 100 years of life on June 25, 2020.

Mr. Walker hails from Spokane, Washington, and worked many jobs before a call to serve his country during its hour of need inspired him to join the Marine Corps. After completing basic training and being assigned to the 4th Marine Division, he was sent to the Pacific Theatre where he fought in the battle for Iwo Jima from February 19, until March 4, 1945.

On March 4, 1945, Mr. Walker was severely wounded by shrapnel and immediately evacuated to Hawaii to be given proper medical care. On September 28, 1945, Mr. Walker was discharged from the Marines and began his civilian life again. His wife of over 50 years, Betty, whom he met in San Francisco where he spent most of his life prior to the war, was waiting for him when he returned.

The Battle of Iwo Jima was one of the bloodiest and most ferociously fought battles of World War II. Mr. Walker was one of nearly 70,000 Marines who bravely battled entrenched Japanese forces knowing full well that casualties would be high.

For his service, Mr. Walker was awarded the Purple Heart Medal, Asiatic Pacific Campaign Medal with star, the American Campaign Medal, and the World War II Victory Medal. After his decorated service in the Marine Corps, Mr. Walker began working for the California Department of Motor Vehicles where he retired from a supervising position.

Mr. Walker has said that one of the happiest days of his life was when he was released from the Marine Corps, but he will also testify that his time in the Corps changed and developed his character.

For her public service, Ms. Hill fought for the rights of women and people of color. Ms. Hill is looked up to by many for her entrepreneurial spirit, service to Western New York, and dedication to cultural theatre and the arts.

Ms. Hill's most cherished accomplishment is raising two children, Amicar Cabral and Zoe Viola, as a single head of household.

Madam Speaker, I take this moment to recognize Lorna C. Hill, a dedicated performer, director, artist, community servant and educator. Her work and presence created an irreplaceable legacy that is felt deeply throughout Western New York and beyond.

HONORING LORNA C. HILL

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. HIGGINS of New York. Madam Speaker, I rise today to recognize the life and accomplishments of Lorna C. Hill, who is the founder of Ujima Theatre Co. in Buffalo, NY and has been a leader in the Western New York community for many decades.

Ms. Hill has broken all types of barriers throughout her life. She was the first woman accepted into Dartmouth College, graduating in 1973. For this accomplishment, Ms. Hill has been honored by the Black Alumni of Dartmouth Association and the Office of the Dean of the College with a celebration in her name. After earning her bachelor's degree, Hill pursued her M.A. in Theatre at the State University of New York at Buffalo.

In 1978, Ms. Hill founded the Ujima Theatre Company currently located on the West Side of Buffalo. Through the years, Ujima has been a center for cultural acceptance, justice, and racial equality, as well as a hub for artistic vision, especially within the African American community. Ms. Hill continued her career in theatre and the arts as a poet, playwright, and performer on stage, in commercials, and in television.

While operating Ujima Theatre Co., Ms. Hill continued to share her artistic and theatrical talents at the Buffalo Academy of Visual and Performing Arts. As a dedicated public school teacher from 2008 to 2015, Ms. Hill touched the lives of many students. Her passion for the art of storytelling fused perfectly with her role as an educator.

For her public service, Ms. Hill fought for the rights of women and people of color. Ms. Hill is looked up to by many for her entrepreneurial spirit, service to Western New York, and dedication to cultural theatre and the arts.

Ms. Hill's most cherished accomplishment is raising two children, Amicar Cabral and Zoe Viola, as a single head of household.

Madam Speaker, I take this moment to recognize Lorna C. Hill, a dedicated performer, director, artist, community servant and educator. Her work and presence created an irreplaceable legacy that is felt deeply throughout Western New York and beyond.

HONORING THE LIFE AND LEGACY OF JUDGE CHARLES LLOYD ELLOIE

HON. CEDRIC L. RICHMOND
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. RICHMOND. Madam Speaker, I rise to honor the life and legacy of Judge Charles Lloyd Ellioie, a retired Orleans Parish Criminal Court judge, who passed away on Sunday, May 31, 2020 at the age of 82.

Born in New Orleans, Louisiana on April 6, 1938 to Joseph and Elizabeth Fredricks Ellioie, Judge Ellioie was one of five children and was raised in the Lafitte Public Housing Development. A Pullman porter, his father worked on the Sunset Limited railroad while his mother was a domestic worker.

A student of public school throughout grade school, Judge Ellioie attended Dillard University and graduated with a BA degree in Education. He was the first of five in his family to graduate from college. Following his graduation from 1960 to 1966, he served as a biology and math teacher in the Orleans Parish School System.

After his tenure teaching, Judge Ellioie became an agent for the Prudential Insurance Company where he became the first African American hired in his region. In this role, he was successful in assisting individuals and expanding this critical service to many who did not have access prior. However, despite his success, he still yearned to address some of the unsettling societal inequalities he had seen and experienced throughout his life.

Naturally, Judge Ellioie's desire to make an impact in his community led him to get involved in New Orleans in 1968, he pursued a seat on the local school board, but ultimately fell short. However, he stayed determined and refused to allow this loss to deter him.

In 1969, Judge Ellioie founded the Community Organization for Urban Politics (COUP) in partnership with his close friend, Attorney Robert Collins. Almost immediately, COUP became extremely influential in New Orleans and particularly powerful in the 6th and 7th wards.

That same year, he ran unsuccessfully for the House of Representatives, but just a few years later he served as Assistant to the Governor from 1972 to 1975. Upon his tenure, he ran for State Representative to represent an uptown district, but ultimately failed. However, he stayed determined and refused to allow this loss to deter him.

Prior to the election of former Louisiana Governor Edwin W. Edwards, Judge Ellioie worked on his campaign and served as Assistant to the Governor from 1972 to 1975. Upon his tenure, he ran for State Representative to represent an uptown district, but unfortunately did not garner enough votes needed to win.

Soon after, Judge Ellioie decided to enroll in Southern University Law Center to pursue a career in law. During his tenure as a student, he served as Student Bar Association President. Upon graduating in 1979, Judge Ellioie was prepared to become a legal servant of the people.

Beginning in 1980, for sixteen years Judge Ellioie had a successful criminal law practice. His legal knowledge, his ability to connect with people, and his passionate pursuit of justice and equity for his clients all played key roles in his career as an effective criminal lawyer.

In 1995, Judge Ellioie ran a successful campaign for the Orleans Parish Criminal District Court judge. In 2002, he was re-elected without opposition for a second term. In 2007, he...
Judge Elloie retired following a tenure of service that brought justice and provided numerous opportunities for second chances, all while making his courtroom accessible to the community.

Judge Elloie lived an extraordinary life, founded on bringing justice for all, that cannot be overstated. He dedicated his life to elevating his community, maximizing his potential, and being an agent for social change. Judge Elloie was a trailblazer and his life, legacy, and spirit will remain a guiding force to the city of New Orleans. I am grateful for his service. I send my sincere prayers, condolences, and strength to the Elloie family during this difficult time. May his soul rest in peace.

Judge Charles Lloyd Elloie is survived by his wife of more than 30 years, Dr. Pearlie Hardin Elloie, two sons, Charles L. Elloie, Jr. and Joseph C. Elloie, one brother, Wilbur Ronald Elloie, nine grandchildren, one great grandchild, numerous nephews, nieces, family members, friends, and colleagues. Judge Elloie was a member of the St. Katharine Drexel Catholic Church, serving as Lector. He was also a life-time member of Omega Psi Phi Fraternity, Inc.

Madam Speaker, I celebrate the life and legacy of Judge Charles Lloyd Elloie.

ITA NEYMOTIN
HON. FRANCIS ROONEY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. ROONEY of Florida. Madam Speaker, I rise today to congratulate Ita Neymotin on her appointment to be the chair of the Florida Bar’s Committee on Professionalism, following her nomination by Florida Bar President Dori Foster Morales.

Ms. Neymotin has an outstanding career in litigation in both the public and private sector. Beginning her career as a prosecutor for the state’s attorneys office, Ita has prosecuted a wide variation of cases over the course of her career. In recent years she has been a member of the Committee on Professionalism. Ms. Neymotin currently serves as Regional Counsel of the office of Criminal Conflict, and Civil Regional Counsel for the 2nd District Court of Appeals in Ft. Myers, Florida.

I am confident that Ms. Neymotin will continue to uphold the law with the utmost standards and will be a great asset to the Florida Bar as it oversees nearly 107,000 attorneys in the State of Florida.

IN RECOGNITION OF MICHAEL PENALUNA
HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. BURGESS. Madam Speaker, I rise today to celebrate the achievements of Michael Penaluna, Emergency Management Coordinator for the City of Denton, Texas. Mr. Penaluna is retiring after serving the public for over thirty years.

Penaluna began his education at North Central Texas College, where he earned his Associate of Science degree and training as an Emergency Medical Technician. He served an internship with the City of Bowie and received his Bachelor of Science degree in Crisis/Emergency/Disaster Management from the University of North Texas (UNT) in 1988. This milestone was the foundation for two of his lifelong professional endeavors: Emergency Management and the University of North Texas. His first position in this field was with the Caddo-Bossier Office of Homeland Security and Emergency Preparedness in Shreveport, Louisiana. During his fifteen year tenure with this position, Mr. Penaluna served as Chair of the Assistant Director, served as President of the Louisiana Emergency Preparedness Association, and earned a Masters degree at Louisiana Baptist University & Theological Seminary.

The second chapter in Penaluna’s career began in 2004, when he became the Emergency Management Coordinator for the City of Denton. Over the next fifteen years, he was instrumental in broadening and strengthening the city’s Emergency Management Program. Penaluna is well-respected by his peers, and he has served as Chair of the Denton Emergency Preparedness Advisory Committee and Co-Chair of the North Central Texas Council of Government’s Emergency Management Working Group. He has been a sought after guest lecturer at UNT and Texas Woman’s University.

Penaluna has been an esteemed mentor and intern supervisor for many students over the years who are now his professional colleagues. In 2015, he was recognized by UNT as the Outstanding Alumnus in Emergency Administration & Planning. Penaluna’s legacy will continue to shine brightly as his namesake Michael A. Penaluna Endowed Scholarship in Emergency Administration & Planning at UNT will afford many more students the opportunity to train for the profession he holds so dear.

Throughout his career, Michael Penaluna dedicated over three decades of his life to public service. His expertise and leadership will be sorely missed not only by the citizens of Denton, but also by his colleagues across Texas and beyond. He has truly been an outstanding public servant and on behalf of the 26th District, I wish him all the best in retirement.

SWITZERLAND IS UNIQUE
HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, the United States of America is grateful for the partnership with the leadership of the Swiss Confederation in partnership with our shared resolve to eradicate the Wuhan Virus.

The Swiss Confederation worked tirelessly through the leadership of the Federal Council, notably Minister of Health, Alain Berset; Foreign Minister, Ignazio Cassis; Minister of Finance, Ueli Mauer and Minister of Economics, Guy Parmelin. Their efforts to end the pandemic, to boost the economy, and lead through the principles of freedom and democracy enable the United States and Swiss business, scientific, and economic leaders to work together for vaccine, cures, ventilators, masks, and other critical lifesaving efforts. The Cantonal leadership was also a testament to the success of federalism that the United States and The Swiss Confederation historically share.

The Swiss Confederation is recognized as an international leader in the fight against the pandemic and its Spéitz lab has made valuable contributions to the international research that made this recognition possible. Americans are grateful to the people and the Confederation of Switzerland for their unique contribution in fighting this tragic pandemic.

The partnership of the United States and the Swiss Confederation is unique. I am confident that Ms. Neymotin will continue to shine brightly as his namesake Michael A. Penaluna Endowed Scholarship in Emergency Administration & Planning at UNT will afford many more students the opportunity to train for the profession he holds so dear.

RAE ANN WESSEL
HON. FRANCIS ROONEY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. ROONEY of Florida. Madam Speaker, after consulting with physicians about traveling during the COVID-19 pandemic, I was not able to make it to Washington for this vote, but I would have voted NO on H.R. 7120, the George Floyd Justice in Policing Act of 2020. Instituting common-sense police reforms is a bipartisan goal, but this bill is unfortunately an example of partisan politics. I continue to support the JUSTICE Act put forth by Senator Tim Scott, which contains many bipartisan reform measures, and urge the Speaker to bring it before the House for a vote.

I thank Rae, and we wish her a long, joyful, and blessed retirement.
RECOGNIZING DANIELLE BLACK LYONS AS CONSTITUENT OF THE MONTH

HON. MIKE LEVIN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. LEVIN of California. Madam Speaker, it is my honor to recognize Danielle Black Lyons, co-founder of Textured Waves and diversity activist in the surfing industry, as the Constituent of the Month for June.

At a time when our country is undergoing a nationwide uprising to address police brutality and systemic racism in America, Ms. Lyons brought the heart of the Textured Waves community, the love of her culture, and surfing together to help organize a memorial paddle out in which thousands of fellow surfers recognized the life of George Floyd and others who have been killed at the hands of police. This powerful traditional surfing demonstration paid tribute to the Black Lives Matter movement and gave hope to our community as it struggles to address these critically important issues.

A surfer herself, Danielle was tired of seeing only one image of surfers that didn’t fit her own experience in the sport. Seeking to bridge the divide and show a more inclusive representation of women of color in the surfing community, Textured Waves was formed.

The platform is an inclusive space for women of color surfers to come together for community, kinship, and camaraderie. It is a space that gives insights into diversifying the surf world with relevant resources, featured stories, imagery of women of color riding waves, and more.

I applaud Danielle’s spirit and activism and look forward to seeing what else she will do to make a positive impact on our community, the surfing industry, and this important movement going forward.

I launched a Constituent of the Month program to recognize individuals who have gone above and beyond to make our region and our country a stronger place for everyone to live and thrive. As our nation and community works toward long overdue racial change and healing, voices like Danielle’s must be lifted and elevated. I would like to recognize Ms. Lyons as my Constituent of the Month, and I thank her for being a prominent actor in amplifying diversity in our surf culture and shining her light on this historic movement of change for America.

TRIBUTE TO GENERAL WILLIAM LYON

HON. KEN CALVERT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an outstanding individual, General William Lyon, who passed away at the age of 97 on May 22, 2020. “The General,” as his friends knew him, was a loving husband, father, grandfather, great-grandfather, a decorated military veteran, a dedicated philanthropist, and an esteemed community leader in Southern California. He will be deeply missed.

William Lyon was born March 9, 1923, in Los Angeles, California. Throughout the 1940s Lyon studied business at the University of Southern California and attended the Dallas Aviation School and Air College. While there, he trained military pilots as a civilian instructor before joining the U.S. Army Air Corps in 1943. During World War II he served as a pilot in Europe, the Pacific, and North Africa and after the war he joined the Air Force Reserve in 1946. During the early 1950s, he returned to active duty and flew 75 combat missions throughout the Korean War. In 1975, Lyon was appointed Chief of the Air Force Reserve by President Ford, a title he held until he retired from the military in 1979. Throughout his years of service, Lyon received numerous awards and decorations including the Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Air Medal with three oak clusters, and the Presidential Unit Citation.

In addition to his military accolades, Lyon was best known for his successful career in home building, real estate, and commercial aviation. He began his business as a modest effort to provide homes for military personnel returning from service and others across California. He eventually joined into William Lyon Homes, Inc. which grew into one of the nation’s largest homebuilders responsible for constructing more than 100,000 homes across the western United States. Throughout his life, Lyon remained an active pilot and often flew his own jet and functional World War II-era planes. In 2008, he flew a vintage B–17 Flying Fortress to Washington D.C. to participate in a memorial ceremony.

A proud Trojan, Lyon’s undergraduate degree was only the beginning of his involvement with USC. In 1986, he was elected to the university’s Board of Trustees and remained a longtime advocate and supporter of USC’s research and programs throughout his life. An active philanthropist and community leader, Lyons donated to organizations such as the Orangewood Children’s Foundation and the Segerstrom Center for the Arts where he served for 30 years as a director of the board and formerly as chairman. Additionally, he was a chair of the Boy Scouts of America, the Orange County Council, and served as the board chairman of the Alexis de Tocqueville Society of the United Way. He founded the Lyon Air Museum, located next to John Wayne Airport which exhibits authentic aircraft, vehicles, and memorabilia from the World War II era.

I had the pleasure of knowing the General through his service to Southern California and can personally attest to his numerous achievements and the countless lives he touched. He was a great American, a true patriot, an esteemed leader, and a dedicated husband, father, and friend. I extend my heartfelt condolences to his wife of 48 years, Willa Dean, to their children, Susan, Christine, Marcia, and Bill, their grandchildren, and the rest of his family and friends. Although the General may no longer be with us, he will continue to have a lasting impact on the lives of his family and community.

HONORING THE LIFE OF WILLIAM LYON

HON. HARLEY ROUDA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. ROUDA. Madam Speaker, I rise today to recognize the life of William Lyon, who passed away on May 22, 2020 at the age of 97. For 50 years, his work as a real estate magnate revolutionized the housing industry in both Orange County and around the country. In 1954, Lyon began working in construction with a 66-home project in Anaheim, California. Lyon foresaw the region’s growth, and capitalized on the post-WWII economic boom. Less than a decade after his first construction project, he became one of the biggest names in the homebuilding industry. His company, William Lyon Homes, was based in Newport Beach. Lyon and his combined companies were responsible for creating by than 72,000 residential living spaces by the end of his career.

Lyon’s aptitude for reading the housing market and maximizing development opportunities in Orange County are what truly set him apart from his peers and justified his title as a real estate titan. Known as “the General” by friends and family, his leadership and accomplishments sparked great change in our community.

I ask that all Members join me in honoring the accomplished life of William Lyon.

RETIREMENT OF DR. BENNY LILE

HON. JAMES COMER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. COMER. Madam Speaker, I rise today to recognize the extraordinary career of Dr. Benny Lile who recently retired from 35 years of service as an educator in the public-school system. Throughout the last thirty-five years he has served as a substitute teacher, taught in the classroom, worked in central office, the Technology Service Center in Bowling Green, and finished a stellar career serving as the superintendent of Metcalfe County Schools for the last seven years. The span of roles shows how widely his passion for education runs in the public-school system.

Through Dr. Lile’s dedication he incorporated many activities that allowed his students to excel in the classroom. In 1988, he secured a grant that allowed the school to go from having two computers to a fifteen-computer lab—quite an accomplishment for a rural school during that time. Dr. Lile made the computer program Oregon Trail go from the computer screen to a real-life event, where the students dressed up in pioneer clothes and he even secured a horse to bring to school.

I join with Dr. Lile’s family and friends, as well as all those who he has impacted during his years in the school system, in honoring his incredible career and dedication to education. I wish him the best as he begins the next phase of life and express my gratitude for his service to the 1st District of Kentucky.
GEORGIA ADVANCES DEMOCRACY

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, this week was extraordinary for the advancement of democracy in the Republic of Georgia with the first step of adoption of important electoral reforms by the Parliament, led by Prime Minister Giorgi Gakharia. The constitutional amendment approved by Georgian lawmakers this week will lead to a mixed electoral system in Georgia, a compromise brokered between the country’s political rivals pursuant to the March 8th agreement. The Parliament’s approval of this crucial reform signals Georgia’s serious commitment to democratic consolidation and Euro-Atlantic integration.

The people of America appreciate the courageous Georgian lawmakers supporting the March 8th agreement. This includes this week’s important electoral reforms but also efforts addressing political interference in the judicial system. In doing so, Georgia will safeguard the progress it has made and prove itself once again as an undeniably successful regional model of democratic transition.

Georgia is well represented in Washington with Ambassador David Bakradze. South Carolina has a special warm relationship developed by Honorary Consul of Georgia, Admiral David Shimp, of Charleston.

HONORING THE TX03 CONGRESSIONAL YOUTH ADVISORY COUNCIL

HON. VAN TAYLOR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. TAYLOR. Madam Speaker, I ask my colleagues to join me in congratulating the 2019–2020 Congressional Youth Advisory Council (CYAC). Over the past year, students from public, private, and home schools in grades 9th through 12th across Texas’ Third Congressional District participated in my inaugural youth program.

From student governments, athletics, fine arts, honor societies, and a multitude of community and civic organizations, these servant leaders proved to be engaged members of our community as they learned more about our democracy.

During the past school year, students assembled on multiple occasions to discuss issues of importance to their generation and our country as a whole. In addition to attending various interactive information sessions, students shared their feedback by completing multiple assignments on current events and topics associated with our meetings. These young leaders truly capitalized on their experience by engaging in policy discussions while offering innovative solutions on issues of the day.

Despite the hardships posed from the COVID–19 pandemic, members of my CYAC continued to participate virtually in discussion regarding Congressional efforts to provide relief for those impacted by coronavirus while sharing multi-faceted concerns on effects of the virus.

These students consistently impressed me with their knowledge and willingness to engage in thoughtful and constructive dialogue, even when their opinions differed from one another. It is a reminder, when we come to the table with the desire to improve America, there is nothing we can’t achieve.

Now as I conclude my inaugural Congressional Youth Advisory Council, I am filled with conviction knowing this next generation of leaders will continue to propel our country forward through their commitment to finding productive solutions.

I thank every member of the Congressional Youth Advisory Council for their unwavering commitment to this program even amidst great adversity. Each of them has the potential to shape our nation in bold new ways while serving their community. It has been an honor to know and serve them in Congress.

Anna Aasen, Gabriella Abraham, Benjamin Al, Luis Barajas, James Barta, Calame Brady, George Colandrea, Mason Daugherty, Tristan Espinoza, Zachary Evans, Ainsley Ford.

Tatiana Gong, Alayla Gurram, Tristan Hassell, Austin Hoang, Allie Johnson, Jonah Johnson, Caroline Joyce, Daniel Jungerman, Ameya Khanapurkar, Elisabeth Klaysorko.


SCOTLAND COUNTY HOSPITAL

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Scotland County Hospital. Scotland County Hospital has gone above and beyond in serving the area, continuing to expand their services to provide accessible healthcare. Located in Memphis, Missouri, Scotland County Hospital has continued to grow, transforming into a state-of-the-art facility with nearly 200 employees. In addition to their main facility, Scotland County Hospital has also opened several rural health clinics in surrounding counties. I firmly believe that Scotland County Hospital goes above and beyond in successfully fulfilling their mission “to improve the healthcare of our communities with services close to home”.

Madam Speaker. I proudly ask you to join me in recognizing Scotland County Hospital for their tremendous service to the City of Memphis and Northeast Missouri over the past 50 years. I am honored to represent Scotland County Hospital in the United States Congress.

PERSONAL EXPLANATION

HON. JOHN R. CURTIS
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. CURTIS. Madam Speaker, had I been present on June 25, 2020, I would have voted “aye” on H.R. 7120, the George Floyd Justice in Policing Act. I missed this vote due to a scheduled surgery I needed to attend in Utah.

Our country needs police reforms to improve relationships between law enforcement and communities while also ensuring the police can enforce the law. To this end, I am a proud original cosponsor of the JUSTICE Act, which simultaneously promotes both needed change while still supporting law enforcement officers who act in good faith to protect and serve. Unfortunately, the bill before the House today falls short. Mandating locally-run police departments to make one-size-fits-all changes without providing adequate resources will inevitably make it more difficult to follow good community based policing practices and recruit highly qualified officers. I am hopeful that the Senate will soon hold a vote on the JUSTICE Act and that both chambers can work together to develop a solution we can all support.

RECOGNIZING LIECHTENSTEIN’S SUCCESS

HON. JEFF FORTENBERRY
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. FORTENBERRY. Madam Speaker, from Monday, March 9 through Wednesday, March 11, I missed votes due to illness. Had I been present, I would have voted “yea” on Nos. 91, 92, 93, 94, 97, 98, and 100 and “nay” on Nos. 95, 96, 99, and 101.

RECOGNIZING LIECHTENSTEIN’S SUCCESS

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, as the world faces the Wuhan Virus Pandemic, a success has been the leadership of the Principality of Liechtenstein with America’s shared resolve to eradicate the virus.

The Liechtenstein Government, through the leadership of His Serene Highness Prince Alois, worked together to make Liechtenstein one of the great international success stories by keeping Covid–19 infection rates at unseen lows. These effective policies also enabled Liechtenstein to suffer the death of only one of its citizens.

The United States recognizes His Serene Highness and his government for their success and embrace of our shared values of freedom and democracy in fighting this grave pandemic.
Tribute to Glenda Shrum

Hon. Harold Rogers of Kentucky in the House of Representatives

Thursday, June 25, 2020

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to pay tribute to Glenda Shrum, one of Eastern Kentucky’s earliest activists against the region’s deadly drug abuse epidemic. As Glenda retires, I want to commend her for dedicating 16 years of service as Program Supervisor for the Knott and Magoffin County Drug Court Program, plus nearly 27 years of service as Administrator of the Knott County Health Department. Her leadership and courage of conviction has helped save lives in Eastern Kentucky.

In 2003, I launched Operation UNITE to combat the opioid crisis in Kentucky’s Fifth Congressional District, utilizing a holistic approach through law enforcement investigations, treatment and education. One of the first people who joined our grassroots movement was Glenda Shrum. In fact, she had already formed the Knott Drug Abuse Council in 2002 with grant funding support, and she quickly became a trusted advisor for UNITE regarding community and family needs in and beyond the borders of Knott County. I distinctly remember Glenda presenting us with results of a local study that overwhelmingly validated our joint cause to combat drug abuse. The study revealed more than 50 percent of students in Knott County were living in homes without either parent as a result of drug overdose deaths, incarceration for a drug-related crime, or losing custody as a result of substance abuse. Later in life, Glenda personally experienced the reality of this statistic when she became the guardian of a young great-niece and nephew. However, it wasn’t the first time that Glenda personally felt the impact of substance abuse within her family; the first came at the age of 9, when her father was tragically killed by a drunk driver. When you examine her life experiences, Glenda’s courage of conviction and passion to drive out the stigma surrounding substance abuse is abundantly clear.

Through the Drug Court Program, Glenda has actively created local partnerships with employers who are willing to give graduates a second chance job opportunity. Others have found purpose and hope through the Appalachian Artisan Center where they are learning unique skills in pottery, blacksmithing and luthiery. She has also actively created educational programs for the entire family in hopes of reuniting and repairing relationships that suffered extensive damage prior to recovery. Glenda’s work has not only helped save lives at Operation UNITE, and the very first results of its kind in the Appalachian region. As chairwoman since inception, Glenda has led community-wide events, including the annual Dad’s Day Out at Carr Creek Lake in partnership with the U.S. Army Corps of Engineers; Project Grad, a drug-free after-prom event; free Christmas gifts for children in need during the holidays; and school supplies for children impacted by the opioid epidemic.

Had it not been for individuals, like Glenda Shrum, pounding the pavement for hope and change nearly 20 years ago, I fear what our communities would look like today. When others were hiding addiction problems and sweeping them under the rug, leaders like Glenda marched through our hills and hollows to help us raise awareness and spread a message of hope. It has been an honor to work with Glenda over the years and I personally appreciate her close interaction with our team at Operation UNITE, which now serves as a national model of success. I want to wish Glenda many wonderful years of retirement with her family. She should rest easy knowing the countless individuals that she has empowered and inspired to make life changing decisions over the years. Her legacy will long be seen in the children that are now growing up to and continue the work she started some two decades ago. May God bless Glenda and her family for her incredible love she has shown to the people of Eastern Kentucky.

Recognizing Dr. Lee Goldman, MD, MPH

Hon. Adriano Espaillat of New York in the House of Representatives

Thursday, June 25, 2020

Mr. ESPAILLAT. Madam Speaker, I rise today to recognize and celebrate Dr. Lee Goldman, MD, MPH, Dean of the Faculties of Health Science and Medicine and Chief Executive of Columbia University Irving Medical Center (“CUIMC”) on his tremendous work and leadership at Columbia University over the last 14 years.

At the end of this month, Dr. Goldman will be stepping down from his leadership and academic position. Since joining CUIMC in 2006, the institution has seen remarkable growth and infusion of talent as an academic medical center and leader in clinical research while strengthening the relationship between CUIMC and New York Presbyterian Hospital.

Dr. Goldman has been integral to the establishment of new academic and research departments in the fields of Neuroscience, Systems Biology, Emergency Medicine, and Medical Humanities & Ethics. Growth in these fields have brought to CUIMC a more diverse faculty and staff of experts working in concert to further scientific advances. His example and leadership brought to fruition the Precision Medicine Initiative and establishment of the Institute for Genomic Medicine.

And we cannot speak of the institutional change Dr. Goldman has led without speaking of the ground-breaking Roy and Diana Vagelos Education Center providing graduate and medical students a state-of-the-art facility to further educate new generations of clini- cians, scientists, and researchers.

On behalf of New York’s 13th Congressional District, I thank Dr. Goldman for his tireless work and dedication to making our diverse community stronger, resilient, and an example that future leaders will strive to achieve.

Honor the 2020 United States Service Academy-Bound Students

Hon. Van Taylor of Texas in the House of Representatives

Thursday, June 25, 2020

Mr. TAYLOR. Madam Speaker, it is my great honor to recognize those young men and women from Texas’ Third Congressional District who have accepted an appointment to one of our prestigious United States Service Academies.

The United States Service Academies have long been known for selecting well-rounded students who have achieved the highest standard of academics, athletics, and civic engagement. Each of these candidates have gone through a highly competitive and rigorous process to get where they are today. Their commitment to excellence both inside and outside of the classroom has set the stage for success as they train towards becoming future military leaders proudly representing Texas’ Third Congressional District and our nation.

In beginning this new chapter of service, I am certain these patriots will obtain the finest education and military training available. It is with great hope for the future I thank these students for their selfless commitment and the sacrifices they will make in the years to come. As one who has worn the uniform, it is now my privilege to congratulate these students as they embark on this new mission, and I ask my colleagues to join me in celebrating our young leaders as they prepare to go forth in serving our nation with unwavering commitment and distinction.

Class of 2024 Appointments

U.S. Air Force Academy

Jason Ferguson; Liberty High School, McKinney.

Andrew Ferkany; Plano Senior High School/USAFA Preparatory School; Plano, McKenzie Hochvery*; Plano Senior High School, Plano.

Daniel Janggarm; Plano East Senior High School, Allen.

Catherine Kim; Plano West Senior High School, Plano.

Tiffany Li; Prince of Peace Christian School; Frisco.

Brett Schraeder; Melissa High School, Melissa.

Jordan Simmons; Greenhill School/USAFA Preparatory School, McKinney.

U.S. Navy Academy

Ryan Hogg; Prosper High School, Prosper.

Zane Smith; Deerfield Academy, Frisco.

U.S. Military Academy

Alexis Bradstreet; Plano East Senior High School, Richardson.

Ethan Hennon; Wylie High School, Lucas.

Nicholas Hughes; Plano Academy High School, Plano.

Mason Hutchins; Lovejoy High School, Fairview.

Stephen “Drew” Reynolds; McKinney Boyd High School, McKinney.

Natalie Russo; Lebanon High School, Frisco.
Mr. Wilson of South Carolina. Madam Speaker, congratulations to the members of the South Carolina State Guard on their 350th Anniversary.

The South Carolina military has a long and storied history, since it was first organized as a Militia at Charles Town on Albermarle Point on the Ashley River in 1670. This Militia was the earliest manifestation of the South Carolina State Guard.

In the early days of the Province of Carolina, the Militia repulsed French and Spanish invasions of the West Indies in 1728 and won the Yemassee Indian War in 1715. The Militia invaded Spanish Florida once more in 1749 and repulsed frontier Indian attacks from 1716 to 1761, including the Cherokee Indian Wars.

During the American Revolution, South Carolina Militia units were formed into three brigades under General Francis Marion (the Swamp Fox) in the Lowcountry, General Thomas Sumter (the Fighting Gamecock) in the Midlands, and General Andrew Pickens in the Piedmont. They fought scores of engagements against the British during the American Revolutionary War. There were more skirmishes in the Province of South Carolina than any other Province during the Revolution, as its citizens were dedicated to Independence. The Militia also volunteered to defend the state in the War of 1812 and again in 1846 in the Mexican War.

During the period from 1917 to 1920 the South Carolina Militia was activated to replace the SC National Guard units serving in France. On March 21, 1941, Governor Burnet Maybank of Charleston signed a law establishing the “South Carolina Defense Force”.

Now called the South Carolina State Guard, the still all-volunteer organization consists of highly trained and ready professionals.

When a natural or man-made disaster strike our state, the mission of the State Guard is to quickly respond to protect people and property and to help communities recover. Acting in coordination with the National Guard, law enforcement, and other state, county, and municipal agencies during times of emergency, the State Guard is part of the South Carolina Military Department under the direction of the Adjutant General. Its Commander in Chief is the Governor.

When the State Guard was needed to respond to hurricanes Joaquin, Harvey, Matthew, and Florence, its personnel were there to answer the call. In 2018 alone, the nearly 1,000 members of the State Guard volunteered more than 90,000 hours protecting the lives and property of South Carolinians alongside federal, state, and local first responders. State Guard members engage in activities such as Search and Rescue Operations, Medical assistance, legal transport, traffic and parking guidance, engineering expertise, chaplain and counseling services, direct distributions of supplies, and conducting military funeral honors to our veterans.

The State Guard’s Commanding General is Brigadier General Leon Lott and its Deputy Commander is Brigadier General Michael Langston. The State Guard headquarters is in the historic Olympia Armory in Columbia. The State Guard’s motto is “Trained and Ready”.

Mr. ROUDA. Madam Speaker, I rise today to recognize and celebrate Juneteenth. On June 19, 1865, the Emancipation Proclamation was read to the Enslaved African Americans in Galveston, Texas.

Today, we reflect and honor the horror and hardship of those enslaved in the United States. In communities across America, we celebrate the contributions and sacrifices of African Americans who paved the way for future generations.

We know that the Emancipation Proclamation did not ensure equality for African Americans in our country, but the freedom from slavery was instead a first step in an ongoing and righteous battle for justice in the United States. Let us reflect today on how far we have come, and recognize how far we still have to go in our fight for true equality. Let us use this time to acknowledge the work that needs to be done to ensure a more equitable tomorrow.

Juneteenth is a time to reflect on our nation’s fraught history and acknowledge that we can, and will, do better. I ask that all Members join me in celebrating Juneteenth.

Mr. ROUDA. Madam Speaker, I rise today to celebrate the Army Service of Corporal Marion “Mark” Carlton.

On July 23–24, 1950, PFC Carlton rendered meritorious service as an official Signal Corps Motion Picture Cameraman covering combat operations in Korea. Private Carlton, acting on his own initiative, exposed thousands of feet of motion picture film, achieving technically superior and historically significant results. With little regard for his own safety, he photographed frontline combat action as he toured the forward area of the 1st Cavalry Division, the 24th Infantry Division, and frontal positions of various elements of the Army of the Republic of Korea. Throughout, his exceptional initiative, technical skill and courage under enemy fire, Private Carlton materially assisted in providing a photographic record of the Korean Campaign that has proven of inestimable value for tactical and logistical purposes in subsequent operations, and for historical reconnaissance and news services. His exemplary performance of duty under extremely hazardous conditions reflects great credit on himself and the military service.

While accompanying a Marine Division north of the 38th parallel, Corporal Carlton was wounded by an incoming mortar, which tragically killed a Marine officer standing between him and the explosion. While sustaining shrapnel and percussive wounds to his legs and lower back, Carlton attributes his life to the nearby Marine officer whose body blocked most of the shrapnel and explosion. Carlton remains forever grateful for that officer’s sacrifice. Private Carlton was immediately medevaced via helicopter to a Tokyo hospital and temporarily forced out of action. That Marine unit received decorations for their heroic achievement and gallantry.

After a short stint in the hospital Corporal Carlton returned to the battlefield and accompanied a Marine Division beachhead landing at Wonsan, North Korea. Corporal Carlton continued to document and report enemy troop movements and hostilities north of 38th parallel for the duration of his tour. In many instances, Corporal Carlton was ordered to report to General Headquarters in Tokyo to personally narrate his films for Supreme Commander for Far East Command General Douglas MacArthur and other military leaders.

Following his Honorable Discharge from the Army, Mr. Carlton continued in the motion picture field and served as a reporter at WFAA-TV in Dallas, Texas. He later went on to shoot motion pictures of medical procedures for Baylor Medical School in Dallas. Following his venture into medical motion pictures, Mr. Carlton had various roles in the motion picture industry, which included being President of the Texas Oklahoma Photo Supply. He also owned and operated his own television production studio in Dallas.

Several years later, Mr. Carlton finally found his true calling and went on to work for the University of Texas Health Science Center's...
UT-Health to develop their telemedicine program. One of Mr. Carlton’s most distinguished roles was creating and managing Texas legend Dr. James “Red” Duke’s Texas Health Reports. This nationally syndicated television program educated millions of Americans on health and nutrition matters. Mr. Carlton finished his career as Executive Director of International Telemedicine at MD Anderson, the world-renowned Cancer Research Hospital in Houston, where he made many technological breakthroughs in documenting medical procedures and helped pioneer techniques in the field of telemedicine.

Mr. Carlton was married to the love of his life, Mrs. Patti Whitmire Carlton, for forty-years until her death in May 2020. They have 3 children: Dave, Brian, Craig. He has numerous grandchildren, and great-grandchildren. The Carlton/Whitmire family has a long history of career military and public service to our country spanning several generations.

Madam Speaker, I would like to thank Corporal Marion “Mark” Carlton for his selfless military service to this great nation.

SOUTHERN HEALTH NATIONAL
GUARD RESPONDS

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, two weeks ago as violent anarchy gripped our nation’s capital, the South Carolina National Guard answered the call.

The South Carolina National Guard successfully mobilized and deployed nearly 450 Soldiers to the District of Columbia in support of the D.C. National Guard in less than 24 hours. This speaks to the preparedness of our service members and their willingness to support the citizens of the United States.

While on mission in the National Capital Region, Task Force Palmetto assisted the D.C. National Guard with crowd and traffic control, patrols to ensure citizen safety, and general security of the national monuments.

The support provided by the South Carolina National Guard enabled U.S. citizens to exercise their Constitutional rights and freedoms to peacefully protest.

With a history dating back 350 years, the men and women of the South Carolina National Guard continue to represent the state of South Carolina, the National Guard, and the U.S. Army with the utmost professionalism and honor. Their service in D.C. is yet another example of their commitment to State and Nation.

Special appreciation for Captain Brian Leister and First Sergeant Aaron Bittner, who survived being struck by lightning as they were serving.

Congratulations to 1–118 IN Battalion Commander Lieutenant Colonel Kenneth Snow for his honorable leadership on the ground as well as Colonel Jamie Fowler who liaised with the D.C. National Guard.

Lastly, South Carolina is grateful for Governor Henry McMaster and Adjutant General R. Van McCarty for their rapid response and service protecting families.
HIGHLIGHTS

See Résumé of Congressional Activity for May 2020.

Senate

Chamber Action

Routine Proceedings, pages S3277–S3626

Measures Introduced: Twenty-three bills were introduced, as follows: S. 4068–4090. Pages S3311–12

Measures Reported:


Measures Passed:

Commission on the Social Status of Black Men and Boys Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and the bill was then passed, after agreeing to the following amendment proposed thereto: Pages S3281–82

Hawley (for Lankford) Amendment No. 1809, to require an equal number of Republicans and Democrats to serve on the Commission on the Social Status of Black Men and Boys. Page S3281

COVID–19: Committee on Foreign Relations was discharged from further consideration of S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Toomey (for Lee/Durbin) Amendment No. 1812, to amend the title. Page S3283

Hong Kong: Committee on Foreign Relations was discharged from further consideration of S. Res. 596, expressing the sense of the Senate that the Hong Kong national security law proposed by the Government of the People's Republic of China would violate the obligations of that government under the 1984 Sino-British Joint Declaration and the Hong Kong Basic Law and calling upon all free nations of the world to stand with the people of Hong Kong, and the resolution was then agreed to. Pages S3283–89

Hong Kong Autonomy Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 3798, to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Van Hollen (for Toomey/Van Hollen) Amendment No. 1821, in the nature of a substitute. Pages S3285–89

National Post-Traumatic Stress Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 618, designating June 2020 as "National Post-Traumatic Stress Awareness Month" and June 27, 2020, as "National Post-Traumatic Stress Awareness Day", and the resolution was then agreed to.

Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act: Committee on the Judiciary was discharged from further consideration of S. 3377, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision, and the bill was then passed. Pages S3625–26
Measures Considered:
National Defense Authorization Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.

During consideration of this measure today, Senate also took the following action:
By 90 yeas to 7 nays (Vote No. 127), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill.

A unanimous-consent agreement was reached providing that at approximately 3:00 p.m., on Monday, June 29, 2020, Senate resume consideration of the motion to proceed to consideration of the bill, post-cloture; and that notwithstanding Rule XXII, all post-cloture time on the motion to proceed to consideration of the bill expire at 5:30 p.m.

Nominations Confirmed: Senate confirmed the following nominations:
A routine list in the Coast Guard.

Nominations Received: Senate received the following nominations:
Deven J. Parekh, of New York, to be a Member of the Board of Directors of the United States International Development Finance Corporation for a term of three years.
John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.
Vijay Shanker, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.
Routine lists in the Army.

Executive Reports of Committees: Pages S3311
Additional Cosponsors: Pages S3312–14
Statements on Introduced Bills/Resolutions: Pages S3314–19
Additional Statements: Page S3308
Amendments Submitted: Pages S3319–S3625
Authorities for Committees to Meet: Page S3625
Record Votes: One record vote was taken today. (Total—127) Page S3296
Adjournment: Senate convened at 10 a.m. and adjourned at 5:14 p.m., until 3 p.m. on Monday, June 29, 2020. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S3626.)

Committee Meetings
(Committees not listed did not meet)

CBP OVERSIGHT
Committee on Homeland Security and Governmental Affairs: Committee concluded an oversight hearing to examine Customs and Border Protection, focusing on evolving challenges facing the agency, after receiving testimony from Mark A. Morgan, Chief Operating Officer and Senior Official Performing the Duties of the Commissioner, Customs and Border Protection, Department of Homeland Security.

BUSINESS MEETING
Committee on the Judiciary: Committee ordered favorably reported the following business items:
S.685, to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General; and
The nominations of Owen McCurdy Cypher, to be United States Marshal for the Eastern District of Michigan, Thomas L. Foster, to be United States Marshal for the Western District of Virginia, and Tyreece L. Miller, to be United States Marshal for the Western District of Tennessee, all of the Department of Justice.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 54 public bills, H.R. 7326–7379; and 3 resolutions, H.J. Res. 91; and H. Res. 1023–1024, were introduced. Pages H2513–16

Additional Cosponsors: Pages H2517–18

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. Page H2423

Recess: The House recessed at 9:49 a.m. and reconvened at 10 a.m. Page H2428

Recess: The House recessed at 1:14 p.m. and reconvened at 1:29 p.m. Page H2439

Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act: The House agreed to discharge from committee and pass H.R. 7036, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision. Page H2439

Suspensions: The House agreed to suspend the rules and pass the following measure:

Patents for Humanity Program Improvement Act: H.R. 7259, to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable. Pages H2503–04


Rejected the Stauber motion to recommit to the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 180 yeas to 236 nays, Roll No. 118. Pages H2491–H2503, H2504–05

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part D of H. Rept. 116–434, shall be considered as adopted. Pages H2440–53

H. Res. 1017, the rule providing for consideration of the bills (H.R. 51), (H.R. 1425), (H.R. 5332), (H.R. 7120), (H.R. 7301), and the joint resolution (H.J. Res. 90) was agreed to by a yea-and-nay vote of 230 yeas to 180 nays, Roll No. 117, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 176 nays, Roll No. 116. Pages H2430–39

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H2438, H2438–39, H2504–05, and H2505–06.

Adjournment: The House met at 9 a.m. and adjourned at 9:55 p.m.

Committee Meetings

CAPITAL MARKETS AND EMERGENCY LENDING IN THE COVID–19 ERA


FEDERAL COURTS DURING THE COVID–19 PANDEMIC: BEST PRACTICES, OPPORTUNITIES FOR INNOVATION, AND LESSONS FOR THE FUTURE

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled “Federal Courts During the Covid–19 Pandemic: Best Practices, Opportunities for Innovation, and Lessons for the Future”. Testimony was heard from David G. Campbell, Senior Judge, United States District Court for the District of Arizona, and Chair, Committee on Rules and Practice and Procedure, Judicial Conference of the United States; Bridget M. McCormack, Chief Justice, Michigan Supreme Court; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Oceans, and Wildlife held a hearing on H.R. 1776, the “Captive Primate Safety Act”; H.R. 2264, the “Bear Protection Act of 2019”; H.R. 2492, the “St. Mary’s Reinvestment Act”; H.R. 2871, the “Aquifer Recharge Flexibility Act”; H.R. 3937, to redesignate the facility of the Bureau of Reclamation located at Highway-155, Coulee Dam, WA 99116, as the “Nathaniel ’Nat’ Washington Power Plant”; and H.R. 6761, the “Murder Hornet Eradication Act”. Testimony was heard from Chairman Grijalva, and Representatives Blumenauer, Gianforte, Fulcher, and Newhouse; and public witnesses.
FRONTLINE FEDS: SERVING THE PUBLIC DURING A PANDEMIC

Committee on Oversight and Reform: Subcommittee on Government Operations held a hearing entitled “Frontline Feds: Serving the Public During a Pandemic”. Testimony was heard from J. Christopher Mihm, Managing Director for Strategic Issues, Government Accountability Office; and public witnesses.

EXAMINING THE COVID–19 NURSING HOME CRISIS

Committee on Ways and Means: Subcommittee on Health held a hearing entitled “Examining the COVID–19 Nursing Home Crisis”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JUNE 26, 2020

(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
Committee on Oversight and Reform, Select Subcommittee on the Coronavirus Crisis, hearing entitled “Accountability in Crisis: GAO’s Recommendations to Improve the Federal Coronavirus Response”, 10 a.m., 1324 Longworth and Webex.
Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

<table>
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<tr>
<th>January 3 through May 31, 2020</th>
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<td>Pages of proceedings .............</td>
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<td>Public bills enacted into law ....</td>
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<td>Private bills enacted into law...</td>
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<td>Bills in conference ..............</td>
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<td>Measures passed, total ..........</td>
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<td>House bills ......................</td>
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<td>Simple resolutions ..............</td>
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<td>Measures reported, total .......</td>
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<td>Special reports ..................</td>
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<td>Conference reports ..............</td>
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<td>Measures pending on calendar ....</td>
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<td>Measures introduced, total ......</td>
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<td>Bills .............................</td>
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<td>Simple resolutions ..............</td>
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<td>1</td>
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<td>2</td>
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<td>Yea-and-nay votes ...............</td>
<td>102</td>
<td>80</td>
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<tr>
<td>Recorded votes ...................</td>
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<tr>
<td>Bills vetoed .....................</td>
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<td>1</td>
<td>2</td>
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<tr>
<td>Vetoes overridden ...............</td>
<td>.</td>
<td>.</td>
<td>.</td>
</tr>
</tbody>
</table>

These figures include all measures reported, even if there was no accompanying report. A total of 35 written reports have been filed in the Senate, 62 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

<table>
<thead>
<tr>
<th>January 3 through May 31, 2020</th>
<th>Civilian nominees, totaling 277 (including 87 nominees carried over from the First Session), disposed of as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirmed .......................</td>
<td>48</td>
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<tr>
<td>Unconfirmed .....................</td>
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<tr>
<td>Withdrawn .......................</td>
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<tr>
<td>Other Civilian nominees, totaling 745 (including 1 nominees carried over from the First Session), disposed of as follows:</td>
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<td>Confirmed .......................</td>
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<tr>
<td>Unconfirmed .....................</td>
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<td>Air Force nominees, totaling 4,151, disposed of as follows:</td>
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<td>Confirmed .......................</td>
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<tr>
<td>Unconfirmed .....................</td>
<td>157</td>
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<td>Army nominees, totaling 3,364 (including 3 nominees carried over from the First Session), disposed of as follows:</td>
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<td>Unconfirmed .....................</td>
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<tr>
<td>Navy nominees, totaling 582 (including 2 nominees carried over from the First Session), disposed of as follows:</td>
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<td>Confirmed .......................</td>
<td>293</td>
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<tr>
<td>Unconfirmed .....................</td>
<td>289</td>
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<tr>
<td>Marine Corps nominees, totaling 1,442, disposed of as follows:</td>
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<td>Confirmed .......................</td>
<td>1,436</td>
</tr>
<tr>
<td>Unconfirmed .....................</td>
<td>6</td>
</tr>
</tbody>
</table>

Summary

| Total nominees carried over from the First Session | 93 |
| Total nominees received this Session | 10,468 |
| Total confirmed | 8,820 |
| Total unconfirmed | 1,734 |
| Total withdrawn | 7 |
| Total returned to the White House | 0 |
Next Meeting of the SENATE
3 p.m., Monday, June 29

Senate Chamber

Program for Monday: Senate will resume consideration of the motion to proceed to consideration of S. 4049, National Defense Authorization Act, post-cloture, and vote on the motion to proceed to consideration of the bill at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Friday, June 26

House Chamber


Extensions of Remarks, as inserted in this issue

HOUSE
Babin, Brian, Tex., E572
Burgess, Michael C., Tex., E568
Calvert, Ken, Calif., E569
Comer, James, Ky., E569
Curtis, John R., Utah, E570
Espaillat, Adriano, N.Y., E571
Fortenberry, Jeff, Nebr., E570
Graves, Sam, Mo., E570
Higgins, Brian, N.Y., E567
Levin, Mike, Calif., E569
Marchant, Ken, Tex., E568
Palazzo, Steven M., Miss., E567
Richmond, Cedric L., La., E567
Rogers, Harold, Ky., E571
Rooney, Francis, Fla., E568, E568
Rouda, Harley, Calif. E569, E572
Taylor, Van, Tex., E570, E571
Wilson, Joe, S.C., E568, E570, E572, E573

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