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Senate

The Senate met at 3 p.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.

O Lord, as our lips are open in prayer, so may our hearts open to receive Your Holy Spirit. Help us to bow to Your will and live lives devoted to Your providential leading.

Lord, we thank You for your providence that brought us the gift of Representative JOHN LEWIS. We are grateful he was a drum major for justice, truth, and righteousness. May his exemplary life and legacy remind us of the transformative impact one dedicated person can make on our Nation and world.

Today, bless our Senators in their work. Let faith, hope, and love abound in their lives. May they seek to heal the hurt in our world and to be forces for harmony and goodness.

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.

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

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

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

IOWA

Mr. GRASSLEY. Mr. President, representative government is a two-way street. To hold up my part of that commitment, I am on my 40th year of holding at least one Q&A in every county every year. Over the past 2 weeks, I had Q&As in 29 counties. Iowans raised their concerns about the virus, unemployment insurance, the rising cost of prescription drugs, China, and access to rural broadband.

Iowans applauded Congress's swift action on programs like the Paycheck Protection Program and getting much needed resources to our rural healthcare workers.

As always, I will continue to bring Iowans' voices to the policymaking tables, and I look forward to finishing my annual 99 county meetings later this year.

I yield the floor.

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. MCCONNELL. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

REMEMBERING JOHN LEWIS

Mr. MCCONNELL. Mr. President, on Friday, the Nation lost a monumental figure, someone who made huge personal sacrifices to help our Nation move past the sin of racism and align more with the principles of our founding.

JOHN LEWIS had secured his place among the giants of American history before his career in Congress had even begun. From a sharecropper's farm with no electricity or running water, JOHN LEWIS rose to share the stage with Dr. Martin Luther King, Jr., as a founding leader of the mid-century civil rights movement. His unwavering example of nonviolent resistance became a powerful rallying cry, swelling the ranks of marches and sit-ins and commanding the attention of the Nation.

As a young student, JOHN demonstrated wisdom beyond his years and unimaginable patience and dignity in the face of harassment and brutal assaults from the champions of segregation. From boycotts and sit-ins to Bloody Sunday in Selma, he suffered, and suffered, and suffered. But he kept working. He was unshaken in the belief that our Nation could do better, and he was willing to pay for that progress with his own blood.

The cause of justice called JOHN LEWIS to the vanguard—from organizing the lunch counter sit-ins that made Nashville the first southern city to begin desegregating public places to leading the first historic Freedom Riders across the South, to chairing the Student Nonviolent Coordinating Committee that helped mobilize a generation, to addressing the March on Washington from the Lincoln Memorial. By the time he turned 25, JOHN had already lent his voice and his body to a full lifetime's work. But he wasn't finished yet.

That same spirit of urgency followed him here to Washington. Whether the day's issues found you on his side of the policy debate or on the opposite side, his warmth, friendliness, and dedication to his neighbors in Georgia's Fifth District made an impact on everyone.

I am reminded particularly of joining hands with him at a ceremony here in the Capitol honoring his friend, Dr. King, in 2008. As Members of Congress sang ''We Shall Overcome,'' it was humbling to reflect on what the man standing next to me had suffered and sacrificed so that those words could be sung, at such an occasion, in that place.

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

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The memory of our colleague brings to mind Dr. King's own words. He famously said: ''The arc of the moral universe is long, and it bends toward justice.''

It would be a mistake to read those words and assume that he meant this bending is inevitable. Our society has only marched toward justice because great figures like Congressman JOHN LEWIS took it upon themselves to lead the way. The Nation mourns his passing, and we celebrate the life of this American hero.

CORONAVIRUS

Mr. MCCONNELL. Mr. President, on an entirely different matter, it has been half a year since the deadly coronavirus began to spread from China throughout the world. Now, 3.7 million cases have been recorded on American soil. More than 140,000 lives have been lost.

Today, our Nation stands at a challenging crossroads. States and localities are trying to balance the need to reopen and foster economic recovery with the need to stay on offense against the virus.

Back in March, the American people began a period of historic disruption and heroic sacrifice in order to stunt the spread of the virus. Life as we have known it was simply put on ice. Daily routines were reinvented, not as a permanent solution but as a short-term emergency measure to save our healthcare system.

The American people stepped up. The sacrifices saved lives. Nowhere in the United States did hospitals suffer the fate of the medical system in places like Italy.

Our Nation met new kinds of American heroes: doctors and nurses, who worked double shifts, washed their hands raw, and endured physical separation from their loved ones so they could continue to treat ours; essential maintenance, delivery, and grocery store workers, who kept clocking in to keep families, communities, and entire industries supplied and functioning; teachers and parents, who tried their best to keep school in session for our Nation's children, from virtual classrooms and kitchen tables all across our country.

No generation before us had ever had to pull the emergency brake on national life in quite this way. This historic challenge required historic support so the Senate wrote and passed the largest rescue package in history.

The CARES Act puts financial assistance in the pockets of American families. It sent hundreds of billions of dollars so that employers could keep paying workers. It mobilized unprecedented resources for the medical response. Economists and experts across the spectrum agreed that the Senate's bold, bipartisan policies have made a tremendous difference these past months.

The question before the Senate this week is, Where are we now? Where are we now? On the one hand, our healthcare fight against the virus itself is very obviously unfinished. New spikes in large and economically central States show that we are nowhere near out of the woods. At the same time, neither economics nor our Nation's sanity would sustain an indefinite total lockdown until there is a vaccine. So even as we continue to fight the healthcare battle, cautious reopenings will need to proceed in ways that are as smart, safe, and data-driven as possible.

This is the situation facing the Senate as we discuss and consider the possibility of another recovery package. It would neither be another multitrillion-dollar bridge loan to make up for a totally shutdown economy, nor an ordinary stimulus for a nation ready to get back to normal. The need now lies somewhere in between.

We need to continue supporting our healthcare system and harbor no delusion that this virus is behind us because it isn't, while also taking strategic steps to help laid-off American workers get rehired and American families get their kids back to school this fall.

That is why Senate Republicans will be putting forward a strong starting point for additional recovery legislation, hopefully, as soon as this week. It will take good-faith, bipartisan cooperation from our Democratic colleagues to actually make a law. That productive spirit is what got the CARES Act across the finish line unanimously, but last month, that spirit was absent. A political determination from our Democratic colleagues led them to block the JUSTICE Act and block the Senate from even turning to the subject of police reform, even as millions had taken to the streets demanding change.

So, for the sake of our Nation, if we want to continue helping the American people, the next several weeks will need to look a lot more like March and a lot less like June. Senate Republicans will put forward our proposal soon. I hope our Democratic colleagues will be ready to work together to get an outcome.

First, this week, the Senate will complete two other important pieces of the people's business. First, we will confirm the President's choice to head the Office of Management and Budget. Then we will finish and pass the National Defense Authorization Act for the 60th consecutive time.

As COVID–19 captured our Nation's attention, we knew our adversaries around the world would not ease up. We knew that those who seek to harm America, our interests, and our allies would use the commotion to show even more of their true colors, and, sure enough, the Russian military has flirted even closer to the boundaries of U.S. airspace. Iran has stepped up its meddling in regional conflicts. China has escalated both its international bullying and its domestic repression, such as in Hong Kong.

So I am particularly encouraged that Chairman INHOFE, Ranking Member REED, and our committee colleagues put forward a robust, bipartisan bill. It will invest in the training and technology that will keep our fighting forces on the cutting edge. It will strengthen our alliances and partnerships with shared systems for containing threats. It will honor our servicemembers and their families with pay raises and top-notch services they deserve here at home. That means new investments in 5G systems and hypersonic weapons, the establishment of European and Pacific defense initiatives for greater cooperation to check Russia and China, and improving military family housing, education, and healthcare.

This NDAA will build on the success of the last 3 years in rebuilding and modernizing the world's greatest fighting forces. It will continue to advance our new national defense strategy, putting aside the naive resets of the past administration and continuing to invest in strength instead.

I will be proud to vote to advance and pass the NDAA, and I hope all of our colleagues will join me.

MEASURE PLACED ON THE CALENDAR—H.R. 7120

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 7120) to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under provision of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Russell Vought, of Virginia, to be Director of the Office of Management and Budget.

Mr. MCCONNELL. 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. 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.

REMEMBERING JOHN LEWIS

Mr. SCHUMER. Mr. President, on Friday, July 17, after six decades as one of our Nation's most preeminent civil rights leaders, Congressman JOHN LEWIS—the conscience of the Congress—passed away at the age of 80. His trials and tribulations and, ultimately, his triumphs are well known to all of us.

At the ripe old age of 25, he led thousands of marchers across a bridge in Alabama. They risked their lives for their constitutionally guaranteed right to vote and, in doing so, shook the conscience of a nation and hastened the demise of Jim Crow. On that fateful Sunday, battered and bruised, his head dizzy and bleeding from the policeman's rod, JOHN LEWIS found the courage and the strength to reach the other side of that bridge, and he never stopped marching.

From the Freedom Rides to Selma, from his leadership of the SNCC, to his four decades in Congress, JOHN LEWIS never stopped marching. His actions as a young man helped change the trajectory of a nation and brought about the Voting Rights Act, and then JOHN LEWIS went to Congress and renewed that law again and again. He sat in against segregation at lunch counters in the Jim Crow South and, over 40 years later, led another sit-in on the House floor against gun violence. He spoke out for marriage equality long before it was popular. He challenged those who walked the corridors of power and then trod those corridors himself to bring quality healthcare, fair wages, and social justice to Georgians and Americans everywhere.

It is one thing, inflamed with the passion of youth, to join in brave endeavors and challenge the status quo. It is a good thing. Yet it is even beyond that to sustain that activism and vision and efforts and, yes, that ''good trouble'' he talked about getting into over the steady and persistent dedication of a lifetime. That is who JOHN LEWIS was deep in his soul—a man on a mission, who forcefully but gently led us all to do more and to do better, who loved his country so much that he risked his life and then spent his life trying to change it.

We are an imperfect nation, for sure, but we have a tremendous ability to reinvent ourselves. The story of America is one of constant renewal, but that renewal has never been preordained. It is because Americans have pushed and prodded, used their voices and their votes to force our country to change over time to move ever closer to our highest ideals.

In the story of America, there are certain heroes whose moral clarity has shone out like a beacon for others to follow—North Stars who have inspired their fellow Americans to join them in the glorious work of bending the moral arc of the universe toward justice. JOHN LEWIS was one of those special heroes. He paved the road, lit the path, and pointed the way toward other bridges for us to cross. It was not by always being the loudest voice or the most intemperate; he led by the moral force of his example. Whether he would admit it or not, he inspired millions.

At President Obama's inauguration, JOHN asked the new President to sign a commemorative photo of the event. President Obama simply wrote: ''Because of you, JOHN.''

I don't know how many people must have said that over the years—''because of you, JOHN''—and I could never guess at the number who didn't even know to say it but whose lives were forever altered, whose dignity and freedom was made whole because of you, JOHN.

As a new generation of young people lift up their voices to proclaim ''Black lives matter'' and to fight for the Justice in Policing Act, the memory and legacy of JOHN LEWIS lives on in each and every one of them.

There are very few people who have changed the world for the better. JOHN LEWIS is one of them. His life is a reminder of all that is the best in us and that we are all capable of doing that best.

As we mourn his loss, I would ask my fellow Americans, including my colleagues in this body, to take up his mission. Many of the old enemies JOHN faced down have not been vanquished. Racial disparities persist and gnaw at the fabric of our society, and so does the police violence that met a young JOHN LEWIS and thousands of law-abiding Americans on that bridge over 50 years ago. The bridge he crossed is still named for the Confederate officer, not for the man who led a righteous movement for equality. The law he nearly died for has been gutted by the Supreme Court. Congress has the power to restore it, but only one political party seems interested in doing so.

At the 50th anniversary of the march on Selma, Congressman LEWIS acknowledged that his mission was not yet complete. ''There is still work left to be done,'' he said. ''We must use this moment to recommit ourselves to finish the work.'' He told us to ''get out there and push and pull until we redeem the soul of America.''

As we confront our turbulent present—a pernicious disease, vast economic hardship and inequality, the ancient evil of racial injustice—the loss of JOHN LEWIS feels even more devastating and leaves many searching for answers. But JOHN LEWIS has already pointed the way. ''There is still work left to be done,'' he said. ''Finish the work. Get out there and push and pull until we redeem the soul of America.''

May he forever rest in peace.

CORONAVIRUS

On another matter, it is rare we gather at the start of a work session with so much to do in so little time. As we speak, our country faces the greatest public health crisis since 1918 and the greatest economic challenge since the Great Depression.

Earlier this year, COVID exploded through the Northeast and the Pacific Northwest before finally subsiding. The economic pain of those first few months—over 40 million newly unemployed—was incomprehensible. Now, States throughout the South and West are experiencing a similar surge in cases, hospitalizations, and, sadly, deaths, as the economic pain deepens.

While all of us have watched in horror as this crisis unfolds, Senate Democrats have repeatedly called for action on crucial issues like aid for State and local and Tribal governments, hazard pay for essential workers, funding for coronavirus testing and tracing, rental assistance, and support for our Nation's childcare and education systems.

Each time we sought to pass legislation on these issues, Senate Republicans blocked our attempts. Senate Republicans said that we should, in the words of Leader MCCONNELL, ''hit the pause button.'' Our Republican friends said they wanted to ''assess the conditions in the country'' before providing any more relief.

Our House colleagues passed the Heroes Act over 60 days ago. It has been well over 3 months—3 long months—since we passed the CARES Act. And what has happened in those 3 months?

Three months ago, on April 20, the United States reported 775,000 total cases of COVID–19, with 42,000 deaths. Today, we have nearly 3.8 million confirmed cases and 140,000 deaths.

Just over 3 months ago, 30 million Americans had filed for unemployment claims. Today, that figure is nearly 50 million. More unemployment claims were filed in the last 17 weeks than in the entire 18-month stretch of the great recession.

Today, the State of Florida has more infections per week than China, Japan, Korea, Vietnam, Thailand, Malaysia, Indonesia, the Philippines, Australia, and the European Union combined.

That is what has happened while Senate Republicans have been ''assessing the conditions in the country.'' That is what has been happening while Senate Republicans have hit the ''pause'' button. And now we know the real reason for Republican inaction, why they have hit the ''pause'' button: They can't come to agreement among themselves. The Nation is raging in crisis, and the Republican Party has been paralyzed—stopping and blocking action that

Democrats have sought to deal with the problem.

We may never know the true cost of Republican inaction over these past 3 months, but we know the time for waiting is over. We must consider another major COVID relief package this work period. Enhanced unemployment benefits expire at the end of the month, protections against evictions expire this week, and schools are preparing for the fall without the necessary guidance and resources to open safely. The country is crying out for relief. The needless delays, the partisan politics, and the infighting between the President and Senate and House Republicans have to stop.

But it seems that Leader MCCONNELL has still not received that message. The Republican leader has said he is writing the next bill behind the closed doors of his office and he will present it to his party first before dropping it on the Senate's lap.

This one-party approach is the same approach that delayed the passage of the CARES Act, delayed the passage of subsequent emergency relief legislation, and utterly failed on policing reform, where the Republican bill was opposed by 136 civil rights organizations. For Leader MCCONNELL to then get up and talk about that bill, when the people were marching for a much stronger bill—the Justice in Policing Act—when civil rights organizations were urging that we not move forward on that bill, is twisting history in a way that no one is going to believe and history will never accept.

Each time Congress passed COVID relief—all four times—we did it by coming together in a bipartisan fashion between our two parties, between our two Chambers. Leader MCCONNELL three times tried to force a partisan bill down the Senate's throat, and it backfired every time.

Leader MCCONNELL, it won't work this time either.

Leader MCCONNELL called for bipartisanship this morning. That is great.

But, Leader MCCONNELL, sitting in your own office, writing a bill, and demanding the other side support it, is not anyone's idea of bipartisanship.

Even worse, it appears that the Republican proposal is unlikely to meet the moment. From what we understand from press reports, McConnell's bill will prioritize corporate special interests over workers and Main Street businesses. It will fail to adequately address the worsening spread of the virus.

There are currently between 20 and 30 million unemployed Americans, and from all accounts, the Republican bill will not do nearly enough for them.

As Americans struggle to keep up with the rent, we are facing an avalanche of evictions. From all accounts, the Republican bill will not address that.

According to reports, the Republican bill will come up short on hazard pay for essential workers, aid to State and local and Tribal governments, and investments in communities of color ravaged by the virus.

If the reports are accurate, the Republican bill will not come close—not even come close—to meeting the moment of this great crisis.

The truth is, we have a good product to start with—the Heroes Act. It has already passed the House.

By the way, Leader MCCONNELL, we need the House to make a law.

Unlike the bill Leader MCCONNELL is preparing, it actually matches the scale of the crisis and will put workers and small businesses and our health needs before special interests.

Just to give an example of where Republican priorities are right now, late last week, it was reported that the Trump administration wants to block tens of billions of dollars in the next COVID bill for States to conduct testing and contact tracing. Let me repeat that. When every expert says our lack of testing and contact tracing has led to the crisis being much greater in the United States than in most other countries, Trump wants to block that money for testing, for contact tracing. If past is prologue, our Republican colleagues—so afraid of offending Donald Trump even when they know he is wrong—will let him win the day or at least greatly whittle down the needs we have on tracing and testing.

This report came days after we heard that the administration ordered hospitals to stop reporting COVID data to the CDC and instead report them to State health departments or other portals more easily controlled by the White House. If there was ever positive proof that the President is more worried about his image and political interests than the health and safety of the American people, this is it—hiding data from the Centers for Disease Control. It is hard to believe.

This man is not a leader. You can't hide from the truth. The coronavirus will continue to ravage us whether or not the reports are public. But if the reports are public, we will all know more what to do.

Has not President Trump learned? Have not the Republican Senators learned that hiding from the truth just makes things worse? That is why so much of the blame, according to the American people, for what has happened falls on the shoulders of the President and the Republican Senators who follow him blindly and obeisantly.

This, unfortunately, is hardly the only example of the President's abject failure to lead our Nation through this awful crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. 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. CORNYN. Madam President, during these last couple of weeks, like the rest of my colleagues, I was glad to get back home and spend some time talking to the men and women who are continuing to deal with the hurdles brought on by this pandemic.

As our battle against COVID–19 has waged on, I have looked to folks across different industries in Texas to provide us an honest readout about the challenges they are facing and whether what we have done for them is working. Over these last 3 months, again, like all of us, I have heard from medical professionals on the frontlines of this fight, researchers and scientists who are racing to find treatments and vaccines, small business owners just hanging on by the skin of their teeth trying to keep their businesses afloat and their employees' jobs intact, as well as countless other men and women who are doing everything in their power to support their neighbors and to protect their communities. Their feedback has been invaluable, as always, to the work of the Senate as we have worked to pass four coronavirus bills to support them during this challenging period.

As we prepare to work on the next response package, I was glad to hear from them about what they would like us to include in that. I have spoken with faculty and staff from community colleges across the State who are working to keep their students healthy while continuing to provide them with quality education. Like school leaders at all levels—from K–12 to other colleges and universities—they are constantly reevaluating the situation and preparing to make decisions about returning to onsite working and learning. I know these are difficult conversations that are happening across the country, and I am grateful for the hard work and dedication of incredible educators who are figuring out how to keep our children safe while continuing to give them the education they deserve and they need.

Last week, I spent some time hearing from mental health advocates who are fighting to ensure that Texans have the support and resources they need amid so much stress and uncertainty. Over the last several months, everyone in our country has experienced some substantial shift in their daily routine. No matter how major or minor these changes, combined with the stress that comes from living through a pandemic, this is all taking a toll on America's mental health.

I was glad to hear from more leaders with the Meadows Mental Health Policy Institute about how funding from the CARES Act has strengthened access to mental healthcare and how we can continue to support mental health services in Texas and across the country.

I also valued my time with Texas veterans and talked to them about how the CARES Act can help them and their families and their businesses. We

discussed the VA-specific funding that is strengthening access to healthcare for many veterans, and I appreciated the opportunity to hear more about some of the challenges they are facing and how we can do more in the Senate to support them.

Over the last few weeks, I have enjoyed connecting with these Texans virtually, but I was also glad to join Agriculture Secretary Sonny Perdue for in-person visits with some of the men and women keeping America fed and clothed during this time of increased need. This pandemic has dealt a serious blow to Texas agriculture, and I would dare say to the Presiding Officer; I am sure it is true in her State as well. From livestock to row crops, to dairy, producers have seen their markets shrink and nearly disappear.

Last Thursday, Secretary Perdue, Congressman JOHN CARTER, and I participated in a roundtable in Coupland, TX, to discuss the impact of the pandemic on Texas agriculture. The CARES Act provided $16 billion in agricultural assistance, and so far Texans have received more than $300 million to support our producers. I was glad to learn more about how this funding is helping them through these difficult times and learning more about what should be included in the next bill.

Secretary Perdue and I also had the chance to see how two incredible organizations in Texas are keeping families fed. First, we visited the Houston Food Bank, which is the largest food bank in the Nation. Under normal circumstances, the Houston Food Bank and its volunteers provide food to families across 18 counties in Southeast Texas. As the impact of COVID–19 has grown, so has the need for assistance, so much so that our National Guard troops have been lending a hand for months, but this week that will come to an end.

Compared to the same time last year, the Houston Food Bank has seen up to a 171-percent increase in the need for food assistance. In June alone, the Houston Food Bank delivered more than 27 million pounds of food. It was a pleasure to join Secretary Perdue in volunteering for this incredible organization and being able to thank the men and women who are keeping our families fed in person. We were also able to visit one of the homes of the USDA Meals-to-You Program, which provides nutritious meals for low-income students in rural areas across the Nation.

These are two incredible examples of how organizations throughout the State are supporting those who have been hardest hit by the pandemic. Support for our farmers, our ranchers, producers, food banks, and other organizations keeping Texas fed was a big part of the CARES Act, and I hope we will continue to strengthen that support with the next coronavirus response package.

Senator MURPHY and I introduced the SERVE and CARRY Act, which will provide additional opportunities to help low-income and unemployed Texans access food during the pandemic. It would establish three new programs to not only help put food on the table of Texans in need but also support the farmers, restaurants, and their workers who are suffering as a result of the economic impact of this pandemic.

This legislation has been endorsed by the National and Texas Restaurant Associations, the California and Texas Food Banks, and a number of other anti-hunger organizations. It is time we put our restaurants and their employees back to work in feeding people, and let our men and women in uniform volunteering at the food banks go home to be with their families. The SERVE and CARRY Act will do just that, and I urge my colleagues to look at it and hopefully support it.

As we dive into discussions on the next coronavirus response package, the feedback and ideas provided by these Texans during this last 2 weeks could not have been more timely. I want to thank each of them for taking the time to share their ideas and feedback with me. I come back to Washington with fresh ideas, and I am eager to get to work so we can provide additional support for the Texans who have been impacted so dramatically by this virus.

NATIONAL DEFENSE AUTHORIZATION ACT

Madam President, on another matter, before the Senate begins consideration of the next coronavirus response package, we will finish our work on the National Defense Authorization Act. If we are able to get this bill to the President's desk, which I hope we will, it will mark the 60th consecutive year in which Congress has passed bipartisan legislation to fund and support our Nation's military.

Each year, this is how we maintain our military bases, modernize our equipment, and invest in the next generation of weaponry. It is how we strengthen our relationships with old allies and forge new partnerships with new ones. It is how we take stock of the global threat landscape and ensure our troops have the training, equipment, and resources to counter even our most aggressive adversaries.

In recent years, China and Russia have emerged as two of the greatest threats to the world order. China, in particular, has been increasingly belligerent and well resourced and continues to demonstrate a lack of respect not only for the United States and our closest allies but for basic human rights.

A few weeks ago, China moved quickly and under a veil of secrecy to pass a law taking aim at the freedoms and autonomy of Hong Kong. What they are calling a national security law is nothing more than an effort to extinguish opposition to the Chinese Communist Party in Hong Kong. They are using this law to silence protesters and prescribe harsh penalties for those who have the temerity to speak out against the Communist Party. While devastating, this is certainly not surprising, given China's repeated human rights violations.

The Chinese Communist Party continues its disturbing ethnic cleansing campaign against the Uighur people. The so-called political reeducation camps are nothing more than detention camps where the Uighurs are tortured. Recent reporting found that the treatment in these camps often includes forced abortions, birth control, and sterilizations. I have spoken and will continue to speak out against the methods and motivations of the Chinese Government, operating through the Communist Party, to disrupt the world order.

China does not stand alone as one of the great threats facing our country today. Russia has become increasingly aggressive with its efforts to wreak chaos and sow discord. Since their attempts to interfere with the 2016 election, we have witnessed aggression after aggression by Russia. From Russia-backed mercenaries fighting in the Middle East to state-launched cyber attacks targeting banks and energy firms, to its hybrid warfare and assassination campaigns in Europe, Russia continues to undermine the United States and our allies.

Just last week, we learned that Russian hackers have attempted to steal coronavirus vaccine research. It is becoming increasingly clear that China and Russia adhere to no rules and no principles but their own. As the national defense strategy outlined, the threats posed by China and Russia are only growing more important by the day, and countering these threats requires a clear and concerted effort from Congress and the U.S. Government.

That is precisely why passing a strong Defense authorization bill is so important. This legislation prioritizes strategic competition with China and Russia and takes a strong approach to counter the threats posed by adversaries around the world. It will build on the progress we have made in recent years to strengthen our military and achieve peace through strength.

As we work to counter increasingly sophisticated adversaries around the world, I am glad Congress has taken the opportunity to deliver on one of our most critical responsibilities and pass the NDAA, which we will this week.

I thank Chairman INHOFE and Ranking Member REED for working to get this bill passed with broad bipartisan support, and the provisions will prepare our military for the threats both of today and of tomorrow.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

INTERNET VIRUS

Mrs. BLACKBURN. Madam President, it has been so wonderful to be in Tennessee over the past couple of weeks and to have the opportunity to listen to Tennesseans. We have listened and talked to local elected officials and teachers and parents from one corner of the State to another. They are very aware and are truly focused on the challenges we are going to be facing this fall in just a few weeks.

Some of our school systems in Tennessee are going to be going back to school the first week of August. They have a lot of questions as to whether they are going to end up with classes meeting in person or online.

Up until now, students have relied on virtual schooling platforms to stay connected to their teachers, and it is likely that in many communities, this system will continue at least through the fall semester.

Relying on Google and other educational software providers keeps teachers and families safe from COVID–19, but these programs come with their own brand of hazards. Our increased reliance on Big Tech has highlighted just how vulnerable we are when things go awry. Even the platforms that have become commonplace over the years pose risks and not only just risks to children. You need look no further than last week's Twitter meltdown for evidence of how quickly a hacker or even an insider can turn a few tweets into a threat.

I will tell you this: In Tennessee, we have a lot of security moms. Those security moms you hear so much about are really back in full force. They are concerned. They are paying close attention, and they are not going to back off of the Googles and the Facebooks and the Instagrams. They want to see these companies held accountable and transparent about how they follow and use data because when they see their children spending hours staring at TikTok or YouTube, they are beginning to see and fear a vulnerability. When they see their children using their classroom software, they begin to see and fear a vulnerability.

They haven't forgotten that back in 2015, the Electronic Frontier Foundation filed a complaint with the FTC against Google alleging that their Google for Education platform was exploiting students' personal information and potentially exposing it to third parties. A 2017 report confirmed and expanded on these concerns.

These programs have continued, but Big Tech has left parents with more questions than answers about what is happening with their children's data. How are they pulling in this information? How are they tracking these children? What are they doing with the Chromebook in schools program? Who has this information on their children, and what are they doing with it? What kinds of files are they building about our children?

You know, I have said that one of the questions we should ask and work until we can find an answer is, Who owns the virtual you? Who owns it? Because the virtual you is you and your information online. It is you and your presence online. This is what parents fear.

I will tell you, that fear is complicated because of the rise in mandatory use of technology by students. It has prompted me, along with several of our colleagues here, to ask the FTC to launch a major investigation into how these platforms protect student privacy. That is the question they have to answer. Are you protecting it? If not, why not? If not, are you selling it to the highest bidder? Are you profiting from this educational information?

These security moms know it is not just their kids' safety and privacy at risk. They do their banking online, their shopping online, and they have had to deal with the nightmare of having their identity stolen during one of the many infamous retail hacks.

NATIONAL DEFENSE AUTHORIZATION ACT

Madam President, they also know that these risks aren't just a domestic problem. They have seen bombshell reports about consumer data flowing freely between popular apps and servers in China—of course, China. They have heard about how Chinese companies, all beholden to the Chinese Communist Party—again, as I say so often to American businesses, if you are in business with a company in China, you are in business with the Chinese Communist Party. They know that these companies—all beholden to the Chinese Communist Party—steal intellectual property, build vulnerabilities into their hardware, and tempt tech junkies with flashy mobile apps.

The entanglement doesn't end there. I have spoken on multiple occasions about the clear danger posed by our stifling and overly permissive relationship with China.

We have a duty to address the threats we have uncovered so far and anticipate future problems before they reach our shores. This year's national defense authorization legislation does this by targeting problems in both the public and private sectors.

We know and have known for some time that the agenda of the Chinese Communist Party poses an existential threat to the West. This year's NDAA includes funding and other resources for the Pacific Deterrence Initiative, which is a comprehensive strategy focused on confronting Beijing's influence on other countries and maintaining a U.S. and allied presence in the region. We also authorized a pilot program that will allow cyber specialists from the National Guard to participate in information sharing and analysis between Federal, State, and local officials.

We can use our military and our allies to control a threat that lives half a world away, but how do we stop that threat from reaching our shores?

Back in March, I worked with Senator MENENDEZ to introduce the bipartisan SAM–C Act to secure our pharmaceutical supply chain and protect American consumers from shady Chinese manufacturers. In this year's NDAA, I expanded on that idea and fought for language that will require a percentage of what we call critical technologies to be assembled in the United States or by a close ally.

We are also going to invest even more in machine and advanced manufacturing research at Oak Ridge National Laboratory. Scientists at Oak Ridge will work directly with researchers at the University of Tennessee to develop new technology that will make American companies more competitive.

I will tell you that the University of Tennessee and Oak Ridge Institute are a wonderful partnership. As we work toward 21st-century capabilities for warfare, this is exactly the type of partnership we need to see more of.

Being from Tennessee, which is home to multiple military installations, I know that national defense starts and ends at home, so I secured increased funding that is desperately needed to repair and update Army deployment infrastructure. I know that my friends at Fort Campbell will be able to put that to good use on their runway ramps.

The Defense bill will also fully fund new mission-essential aircraft, including 47 Chinook helicopters for our posts in Tennessee and technologies that will allow those famous Reapers to one day be stationed in the Volunteer State.

We are also finally going to secure some properly fitting body armor for servicewomen, which unbelievably is still unheard of in 2020.

We will likely spend the rest of this week hashing out the finer details of the NDAA before we bring up the final bill for a vote. I encourage my colleagues to consider just how interconnected we are with both our allies and our adversaries. I want them to think about the great power competition and the threats that exist from China, Russia, North Korea, and Iran—I call those four the new axis of evil. I would encourage them to remember that the threats we face require action at every single level, whether they surface at home or half a world away.

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. BOOZMAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BOOZMAN. Madam President, I rise today in support of the fiscal year 2021 National Defense Authorization Act.

Congress has a constitutional duty under article I, section 8, to provide for the common defense, and the NDAA is one of the key tools that we have to ensure that the United States is capable of defending ourselves and our interests.

This is, hopefully, the 60th consecutive year that Congress will pass the NDAA. In a time of intense partisanship and national division, it is a true testament to the significance of this responsibility and the fact that we have been able to come together in support of the U.S. military for decades, even when the spirit of bipartisanship and compromise is elusive in many other areas.

We all want to ensure that America's servicemembers have the tools and resources they need to perform their duty and to protect our Nation. As we are all aware, threats against the United States, our allies, and interests persist. At a time of increasing risk and dangerous challenges to global security, the United States must lead in creating stability through a strong and modernized military.

Peace through strength is a proven concept that reinforces American deterrence and produces greater global security. That is why it is so important to, yet again, come together and advance this important bill, the NDAA.

We need to strengthen our military posture, enact policies that encourage deterrence, project leadership, and deploy innovative strategies to maximize advantages that serve our national security, reassure our allies, and help defend our freedoms and ideals at home and abroad.

The fiscal year 2021 NDAA does this by strengthening American deterrence through investing in greater capabilities in support of priorities listed in the national defense strategy and ensuring America's servicemembers are ready so, when challenged, they will prevail in any conflict.

This NDAA maintains readiness gains made over the previous years, while making significant investments in modernization and enhancing resources to better support and care for servicemembers and their families. It provides a 3-percent pay raise for our troops and reemphasizes a focus on training to ensure that our servicemembers can conduct missions safely.

It also serves the interests of our military at a time when they need vital support and assistance. I am especially pleased that the legislation continues a push I have made related to military spousal employment and also provides another step in the right direction to ensure servicemembers' families have options for high-quality and accessible childcare.

The continued commitment to reforms in the military's privatized housing and health systems reflected in this legislation are also wins for our servicemembers and their loved ones.

Additionally, this year's NDAA goes further to increase manning levels in order to better support the demand for our forces around the world.

I am pleased this bill includes a few of my priorities aimed at supporting our deployed servicemembers in the State of Arkansas.

After my recent oversight visit to Iraq, I worked to ensure that the Army has a plan to evaluate and deploy all resources to protect our servicemembers in the theater from any kind of attack. Some of this capability is also built in my home State. I thank my colleagues for including my measure, which I believe will bring many benefits to our warfighters in the defense industry in Arkansas.

Additionally, after meeting with leaders from the 188th Air Wing at Fort Smith, it was clear to me that our servicemembers need more support when it comes to options for childcare and assistance. That is why I have worked on a provision to direct the Department of Defense to research, report, and provide recommendations to Congress on how to provide 24-hour childcare to military families who are assigned to around-the-clock rotational units at home.

I welcome the inclusion of this initiative in this year's NDAA and am grateful to the Armed Services Committee, which also recognizes its real and urgent need for our military families.

I have also filed an amendment to this year's NDAA focused on meeting the needs of our servicemembers who are undergoing routine quarantines due to the COVID–19 pandemic. Many of our servicemembers are required to quarantine when they are relocated to another military installation, leaving them with days to weeks of inactivity and isolation.

My amendment requires the Department of Defense to develop measures to ensure personal and professional development of our servicemembers while in quarantine, including physical activity and educational resources.

Defending our Nation, allies, and interests means providing the Department of Defense with the tools and authorities it needs to carry out that mission. This is the Federal Government's most basic function and responsibility.

It is important to get this work done in a bipartisan way and with broad agreement. My colleagues on the Armed Services Committee, under the leadership of Chairman INHOFE and Ranking Member REED, have provided a great example in sending this bill out of committee with an overwhelming vote of support. Their work has helped to ensure that the fiscal year 2021 NDAA establishes and builds on policies that strengthen the ability of the United States to safeguard the Nation and provide the support and assistance that our allies have come to depend on. Doing so helps make us and the rest of the world safer.

The fiscal year 2021 NDAA supports the national defense strategy, our servicemembers, and the broader military community. It deserves wide support in this body, and I encourage my colleagues to join me in approving the NDAA and building on the U.S. legacy of unmatched military leadership, capability, and superiority.

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. I ask unanimous consent that the order for the quorum call be rescinded.

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

REMEMBERING JOHN LEWIS

Mr. INHOFE. Mr. President, I want to make a couple of comments. It is going to be a very significant week. We know pretty much what we are going to be doing with the defense authorization bill, which I believe, and most people believe, is the most significant bill each year. We have things that need to be done. We came to a great agreement prior to the Fourth of July in terms of the numbers of amendments and the things we had to get accomplished, and I think there is total agreement with that.

We had a tragedy that took place during the last 2 weeks while we were in recess. One affected a friend of mine, JOHN LEWIS. We had a real interesting—the 100th Congress, we went in, I think, in 1987, and the 100th Congress had a lot of really great people.

JOHN LEWIS is one of them.

JOHN LEWIS and I became friends. You couldn't get two guys further apart philosophically than JOHN LEWIS and me. Yet we were always close. I watched how peacefully he could get things done. He is someone I got to know quite well.

We had a lot of others in that class. Jon Kyl has been very active in recent years. He came back from retirement temporarily. He was in that class. We had BEN CARDIN. He and I became close friends. I think he was in the State legislature first. Lamar Smith was one who was very, very helpful to me all those years. Lamar Smith is from South Texas. Freddie Upton—we referred to him as ''Little Freddie Upton''—is probably the most recent one we had who is no longer in that same position. But JOHN LEWIS was, and I had the honor of coming to Congress and being in the same freshman class with him.

Ultimately, he was a courageous fighter in every part of his life. He fought for the civil rights movement on the bridge to Selma, as a Freedom Rider, and through his work on the Student Nonviolent Coordinating Committee. He consistently did a great and peaceful job. He fought for his constituents and the causes he believed in. He was a fighter. He would not take no for an answer.

Up until the very end, he fought cancer. Like everything else, he fought it with courage and honor.

The conscience of Congress may no longer be here, but his legacy for his selfless service has been imparted to every one of us who served with him and got to know him well. It seems like the ones who knew him the best were those of us who served over in the other body, in the House.

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Mr. President, this week, the Senate will be resuming consideration and, hopefully, completing the National Defense Authorization Act for Fiscal Year 2021. This is not the end. This is not the completion. All this does is get it out of the Senate. Hopefully, we can do that this week, and then we have quite a few confirmations we have to do in the Senate that are very timely. We have them all lined up, and I think it is all going to work.

This National Defense Authorization Act is the one that is going to get our attention for quite a while after today. The House has to do theirs, and then we go into conference and we have a conference between the House and the Senate, which we will do and participate in.

Then, as normally is the case, it goes to the Big Four. The Big Four are the two leaders from the House and two leaders from the Senate. I have been in the Big Four, I think, for 4 years in the past. It ends up getting done.

Anytime a bill is passed for 59 years, you know it is going to pass, which is one of the problems. Everybody says: That is going to pass; therefore, let's go ahead and load on anything that I have not been able to get passed before, because you know that bill is going to get passed.

We have a lot of that going on. We have been through that. We had many, many amendments on this.

I think that we all are reflecting on the true meaning of Independence Day, and no bill is more important to protecting our freedoms than the National Defense Authorization Act. How do I know that? There is a document that not many people read any more. It is called the Constitution. It tells us what we are supposed to be doing here, and what we are supposed to be doing is, primarily, defending America.

I want to highlight the work and the bipartisan, comprehensive nature of the legislation. We have already adopted over 140 bipartisan amendments to the National Defense Authorization Act. One of the reasons for this is that we had the experience last year, and we have had it in the past, where one Member wants to get his or her amendment adopted, but they will use the leverage they have, which is to object to any other amendments coming up.

We thought, in the event that happened again, that we will put every amendment we could put in there. We solicited amendments to come from Members, and they came. The number is now 140 bipartisan amendments. That is equally divided. I have to say that the group—John Bonsell and Liz—did a great job in making this a bipartisan bill. We actually had the same number of amendments on each side. Those numbers don't include the hundreds of amendments considered in markup or Member interest provisions that were included in the base text. That was about 90 amendments. This bill was truly written by the Members, the Democrats and Republicans in both the House and the Senate. It is my hope, and Senator REED agrees with me, that we clear another managers' package, if possible.

Speaking of Senator REED, I have to say there is not a committee out there that enjoys more bipartisan support in the Senate than this committee does. Senator REED and I have disagreed on some things, but we always resolved our problems.

This week, we are also going to vote on six amendments. Some of those amendments I support and some I don't. These are the amendments we agreed to when we departed here right before the Fourth of July.

Regardless of my feelings on specific amendments, I want to thank my colleagues for coming together. We were able to have these amendment votes. It has been at least a few years since we have been able to vote on this many amendments on the floor. What we need to have right now—and I know Members aren't in here now, but their staff is watching. Their staff needs to know that we need Members to come down and present their amendments and to speak on amendments.

We have six amendments all lined up. There are a lot of Members of the Senate who want to be heard. If you are not down here, you are not going to be heard because we are planning on doing six. Of those, we will probably do four of those tomorrow and then a couple the next day. Then, that is going to essentially be the end of it. I don't want them to come and complain to us saying that they want to be heard on amendments. This is your opportunity to do that.

The important thing is we are doing it now. We are coming together to get this must-pass bill done. Things can get pretty divisive around here sometimes, but the National Defense Authorization Act simply always comes together because it has to be done. It has been happening for 59 years. It is going to be 60 years in just a few days.

Senator REED, the Armed Services Committee, and I worked hard to make this a bipartisan bill—in the base text, in the committee mark, with amendments, and with the votes. We listened to what our colleagues asked for in their Member interest letters. We requested letters. This goes all the way back to January. We were requesting letters from individuals as to what their interests were going to be as the year pressed on.

We had a bipartisan markup where we adopted over 200 amendments from both Republicans and Democrats. On its own, this is a good, bipartisan bill. We are trying to make it better on the floor, as we adopt or reject additional amendments, which we are going to be doing tomorrow and the next day.

We are about to make it 60 straight years of passing it. We don't want to jeopardize that.

We saw what happened in the House last year when they tried to write a partisan bill. It didn't go anywhere. Everything they wanted had nothing to do with the military. They had every liberal program in it and nothing happened. We remember some of those items. They wanted to restrict arms sales. They wanted to block our nuclear modernization, block funds for the border wall, and several other things.

I commend Chairman SMITH for returning to the bipartisanship that has long been the tradition of the Armed Services Committees on both sides of the Capitol. The House is taking up their bill on the floor this week. I wish them well. I hope they do block some of the worst amendments and the ones that would cut funding for our troops and hamstring the ability to defend our Nation.

I am glad they are prioritizing getting this done. I am also glad that they returned to regular order; that is, considering the authorization bill before the appropriations bill. That is the order that is supposed to be done, and that is what is going to be done this time. That is the way things should work around here. We authorize first, and then we appropriate.

What we will do is what we have done every year for the last 59 years. We will come together—the Senate and the House, Republicans and Democrats—and conference our bills this week. Our votes are the next step to this goal, and that is going to happen.

There is nothing else around here that has the 60-year success streak the NDAA has. That is it. This is our sacred and profound responsibility to the 2.1 million men and women who volunteered to serve and their families.

I remember when the idea of a full volunteer force was something that was not really something that really could be done. When I was in the military, we didn't have that. It was the days of the draft. Frankly, I think there is a lot of merit to that.

It means a lot right now to the more than 700,000 civilian employees in the Department of Defense and thousands more who support our nuclear enterprise, and to all Americans that we protect them, their families, and their livelihood.

I thank my colleagues for their contributions and look forward to our continued debate on this important bill. This is the most important bill of the year.

Keep in mind that this is something we are going to get done and the next important step is this week. I appreciate all the help and remind all the Members that this is your time to speak on amendments.

Mr. VAN HOLLEN. Mr. President, I oppose the confirmation of Russell Vought to be Director of the Office of Management and Budget. Mr. Vought's tenure as Acting Director of OMB has been characterized by mismanagement, political corruption, and lawbreaking. He is unfit to lead OMB.

Mr. Vought played an active role in President Trump's corrupt scheme to

pressure Ukraine to interfere on President Trump's behalf in the 2020 election. In furtherance of that scheme, OMB illegally withheld security assistance for Ukraine under Mr. Vought's leadership, which violated the Impoundment Control Act according to the independent and nonpartisan Government Accountability Office. GAO even stated that OMB's stonewalling of their inquiry had ''constitutional significance'' due to the undermining of legislative branch oversight. During his confirmation hearing, Mr. Vought could not even explain why OMB stonewalled GAO's inquiry by refusing to turn over relevant documents requested by GAO and then failed to provide a reason for withholding these documents in response to my questions following the hearing.

Mr. Vought is among those responsible for the Trump administration's disastrous response to the COVID–19 pandemic. OMB dragged its feet on requesting urgently needed resources to respond to the pandemic, which led to deadly shortages of key supplies. Due to insufficient guidance from OMB and the Office of Personnel Management, Federal agencies are moving forward with haphazard plans to bring teleworking employees back into offices in ways that needlessly risk spreading COVID–19 among Federal workers, their families, and surrounding communities.

OMB is responsible for preparing the President's budget, and Mr. Vought has advanced budgets that would pay for tax cuts for the wealthy and corporations by slashing support for healthcare, education, and nutrition assistance. The Trump administration would have been even less prepared for COVID–19 if Congress enacted the cuts in these budgets to the Centers for Disease Control and Prevention. Mr. Vought personally called for cutting the CDC budget as recently as March 10, 2020, when the pandemic was sweeping the country. At that time, Mr. Vought insisted that he would not send a budget amendment to reverse these cuts. The administration was forced by circumstances to submit such a budget amendment shortly thereafter.

The Senate should not reward this record of failure and lawbreaking by confirming Mr. Vought's nomination.

Mr. INHOFE. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Under the previous order, the question is, Shall the Senate advise and consent to the Vought nomination?

Mr. INHOFE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN) and the Senator from North Carolina (Mr. BURR).

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 131 Ex.]

YEAS—51

Alexander	Gardner	Perdue
Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Capito	Hyde-Smith	Rounds
Cassidy	Inhofe	Rubio
Collins	Johnson	Sasse
Cornyn	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Shelby
Crapo	Loeffler	Sullivan
Cruz	McConnell	Thune
Daines	McSally	Tillis
Enzi	Moran	Toomey
Ernst	Murkowski	Wicker
Fischer	Paul	Young

NAYS—45

Baldwin	Harris	Reed
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Sanders
Booker	Hirono	Schumer
Brown	Jones	Shaheen
Cantwell	Kaine	Sinema
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Peters	Wyden

NOT VOTING—4

Braun	Murray
Burr	Schatz

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. ROMNEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. ROMNEY. Mr. President, I rise to address the administration's plan to withdraw some 10,000 troops from Germany, and I rise to advance a bipartisan amendment to slow that process down and potentially even to stop it.

The administration explains that Germany needs to get to 2 percent of its spending on military matters, a direction I support. Germany is already at 1.5 percent and is on track to get to get to 2 percent.

By all appearances, the withdrawal of 10,000 troops in Germany is a very bad idea. First of all, it is a slap in the face at a key ally, a friend, and a great country. This country is an economic powerhouse. It is dynamic and productive people who have created that economic vitality. It has been driven to global leadership not by virtue of having cheap labor or polluting the air with pollutants or CO_2.

China buys more from Germany than Germany buys from China. Why? Not because Germany threatens China but because Germany is making products that China wants. It is a democracy noted for its strong, steady, and firm leader. Germany pays an equal share to the United States into NATO, and NATO, of course, has preserved peace in Europe for over 70 years.

Now is also a time to draw our friends closer and to link arms with our allies, in part because of China's ambition to become the dominant player on the Earth, to displace the West, to displace the United States, and to supplant democracy with authoritarian despotism. China brutally represses its minorities. The Uighurs, we read, even today are being forced into labor. China invades sovereign lands and nations of its neighbors. It is propagandizing our children here through Confucius Institutes. It steals technology in our country and other countries in the West, and it attacks our cyber bases relentlessly day in and day out.

Its military procurement is equal to that—or nearly so—of the United States. Even though we spend far more money than they do on military, as reported, our procurement budgets procure about the same amount of military hardware.

Of course, the tip of its spear is its economic predation. China has attacked one industry after another, and through subsidy and predatory pricing techniques, it has driven western businesses out of business. In my view, to divert China from that dangerous path, we need allies—allies like Germany.

Now, there is a second reason that I am opposed to this idea of withdrawing troops from Germany, and that is, it is a heck of a time to give a gift to Russia. We just learned about Russia's support of the Taliban—even reports that they may have been paying bounties for killing Americans. Russia has stepped in to support some of the world's worst actors, like Assad and Maduro. It has invaded Georgia and Ukraine, and it violates nearly every arms agreement it enters into.

It is a wounded and declining nation. It has an uncompetitive economy. Senator McCain used to joke that Russia is a gas station pretending to be a country. Its declining population, of course, contributes to its decline. Nations in decline may lash out, and that is what we have seen time and again.

This is a time not to give a gift to Russia but to show solidarity with our dear friends, like the people of Germany.

One final reason: Germans welcome American troops in their country, and our presence there is of enormous aid to our own military. In Landstuhl, we have a hospital that cares for some 250,000 military personnel and their families across Europe. We also care for those who come in injured from Afghanistan or Iraq. It is a staging area for training exercises that are done with NATO. It is a central hub for our troops in the EU and the Middle East and Africa. In Stuttgart, the European Command, the African Command, and the Special Ops Command are there. Ramstein Air Base is the largest in Europe for our Nation. It also hosts extensive infrastructure of schools, housing, hospitals, and airport maintenance. Moving from those facilities—it would be expensive and wasteful to abandon them.

Finally, we are so welcomed by the German people that the leaders of their various states—their state premiers wrote a letter to the Senate, and it said this: ''Do not sever the bond of friendship'' between the United States and Germany. I also got a personal letter from leaders in Germany saying: Do not do this. This sends exactly the wrong message at the wrong time.

To slap an ally, a great friend, and a great country like Germany and at the same time give a gift to a malevolent adversary like Russia is ill-conceived and ill-considered. I implore the Senate to consider an amendment to slow this process down and to study it.

There is a real question as to whether there will be a chance for a vote of such a nature. In my view, the Senate needs to speak on something of such magnitude. This is a matter of extraordinary significance to American foreign policy. How could we possibly allow the administration to make a decision like this without the input of the Senate?

We must vote on this. I will be satisfied if we come together as a body and vote no. People say: No, let the President take out the 10,000 troops. But I won't be satisfied if we don't get a chance to even vote on this.

We have a national defense authorization amendment coming forward. This is the time for this amendment to be seen on the Senate floor or in the managers' package. Barring that, I don't see how I can support the managers' package. I don't see how I can support, as a Senator, proceeding without taking up this vital provision of our support for our friend Germany, of our support for our interests in NATO, the interests of our military, as well as our desire not to give Russia a gift, particularly at a time when America has been silent as Russia has been supporting the Taliban and potentially even paying hostages to kill Americans.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. I ask unanimous consent that the order for the quorum call be rescinded.

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

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 4231 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of Executive Calendar Nos. 605, 721 through 743, 745 through 749, 751, 752, 753, and all nominations placed on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate, all en bloc; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE ARMY

The following named officer for appointment as Chief of Engineers and for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 7036:

To be lieutenant general

Maj. Gen. Scott A. Spellmon

IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Kathleen M. Flarity

IN THE NAVY

The following named officer for appointment in the Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Terry W. Eddinger

The following named officer for appointment in the Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Patrick S. Hayden

The following named officer for appointment in the Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Eric L. Peterson

The following named officer for appointment in the Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Donald Y. Sze

The following named officers for appointment in the Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Stephen D. Donald
Capt. Gregory K. Emery

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Grafton D. Chase

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Eugene A. Burcher
Rear Adm. (lh) Joey B. Dodgen
Rear Adm. (lh) William G. Mager

The following named officers for appointment in the Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. William L. Angermann
Capt. Marc S. Lederer
Capt. Donald M. Plummer
Capt. Jeffrey S. Spivey

IN THE AIR FORCE

The following named Air National Guard of the United States officer for appointment as Director, Air National Guard, and for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 10506:

To be lieutenant general

Maj. Gen. Michael A. Loh

IN THE ARMY

The following named officer for appointment as the Chief of Army Reserve and appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 7038:

To be lieutenant general

Maj. Gen. Jody J. Daniels

The following named officer for appointment a the Chief of the National Guard Bureau and for appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 10502:

To be general

Lt. Gen. Daniel R. Hokanson

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

To be lieutenant general

Maj. Gen. Willard M. Burleson, III

IN THE NAVY

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

To be vice admiral

Rear Adm. Kenneth R. Whitesell

The following named officer for appointment as the Chief of Navy Reserve and appointment in the Navy Reserve to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8083:

To be vice admiral

Rear Adm. John B. Mustin

IN THE MARINE CORPS

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

To be lieutenant general

Maj. Gen. David A. Ottignon

IN THE AIR FORCE

The following named officer for appointment as Vice Chief of the National Guard Bureau and for appointment to the grade indicated in the Reserve of the Air Force under title 10, U.S.C., sections 601 and 10505:

To be lieutenant general

Lt. Gen. Marc H. Sasseville

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

To be lieutenant general

Maj. Gen. Carl E. Schaefer

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

To be lieutenant general

Maj. Gen. Kirk S. Pierce

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Alex B. Fink

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Edward H. Bailey
Col. Mary V. Krueger
Col. Anthony L. McQueen

The following named Army National Guard of the United States officer for appointment as Director, Army National Guard, and for appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 10506:

To be lieutenant general

Maj. Gen. Jon A Jensen

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Jed J. Schaertl

IN THE AIR FORCE

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

To be general

Lt. Gen. Mark D. Kelly

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

To be general

Lt. Gen. Jacqueline D. Van Ovost

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

To be lieutenant general

Maj. Gen. Brian S. Robinson

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

To be lieutenant general

Maj. Gen. Charles L. Moore, Jr.

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

To be lieutenant general

Maj. Gen. Andrew A. Croft

IN THE ARMY

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

To be lieutenant general

Maj. Gen. Michael L. Howard

IN THE NAVY

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

To be vice admiral

Vice Adm. James J. Malloy

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

To be vice admiral

Rear Adm. Michelle C. Skubic

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1 785 AIR FORCE nominations (16) beginning CORY L. BAKER, and ending STEPHENIE D. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1923 AIR FORCE nomination of Katherina B. Donovan, which was received by the Senate and appeared in the Congressional Record of May 21, 2020.

PN1975 AIR FORCE nomination of William R. Martin, II, which was received by the Senate and appeared in the Congressional Record of June 8, 2020.

IN THE ARMY

PN1525 ARMY nominations (69) beginning SYED I. AHMED, and ending D014798, which nominations were received by the Senate and appeared in the Congressional Record of February 12, 2020.

PN1526 ARMY nominations (20) beginning BRADLEY AEBI, and ending KEVYN WETZEL, which nominations were received by the Senate and appeared in the Congressional Record of February 12, 2020.

PN1 795 ARMY nominations (27) beginning JOHN L. AMENT, and ending WENDY G. WOODALL, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1 796 ARMY nominations (39) beginning FELY O. ANDRADA, and ending D011074, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1 797 ARMY nominations (8) beginning CHRISTOPHER A. FLAUGH, and ending ZACK T. SOLOMON, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1 798 ARMY nominations (6) beginning MICHAEL BERECZ, and ending JAMES W. PRATT, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1805 ARMY nominations (18) beginning THOMAS E. ALLEN, and ending MICHAEL T. ZELL, which nominations were received by the Senate and appeared in the Congressional Record of May 4, 2020.

PN1924 ARMY nominations (212) beginning CHAD M. ABTS, and ending ROGER B. ZEIGLER, which nominations were received by the Senate and appeared in the Congressional Record of May 21, 2020.

PN1925 ARMY nominations (155) beginning DANIEL P. ALLEN, and ending GARY C. WONG, which nominations were received by the Senate and appeared in the Congressional Record of May 21, 2020.

PN1926 ARMY nominations (48) beginning BRIAN E. BART, and ending MITCHELL J. WISNIEWSKI, which nominations were received by the Senate and appeared in the Congressional Record of May 21, 2020.

PN1952 ARMY nomination of Shahin Nassirkhani, which was received by the Senate and appeared in the Congressional Record of June 2, 2020.

IN THE NAVY

PN1865 NAVY nominations (11) beginning ROBERT L. BETTS, and ending JAMES G. THURSTON, II, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1867 NAVY nominations (83) beginning MATTHEW L. ABBOT, and ending DAVID P. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1868 NAVY nominations (16) beginning PAUL ANNEXSTAD, and ending PETER M. ZUBOF, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1869 NAVY nominations (4) beginning BENJAMINE. BARAN, and ending JOSEPH F. RHEKER, III, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1870 NAVY nominations (5) beginning AARON A. ASIMAKOPOULOS, and ending KIMBERLY A. PIZANTI, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1871 NAVY nominations (5) beginning DEREK L. BUZASI, and ending TRACY A. SICKS, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1872 NAVY nominations (10) beginning FRANCIS P. BROWN, and ending MCKINNYA J. WALLACE, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1873 NAVY nominations (3) beginning STUART R. BLAIR, and ending JEFFERY T. KING, which nominations were received by

the Senate and appeared in the Congressional Record of May 11, 2020.

PN1874 NAVY nominations (15) beginning JOHN P. BAUER, and ending KURT A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1876 NAVY nominations (3) beginning STEVEN G. BEALL, and ending ALMOND SMITH, III, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1877 NAVY nominations (17) beginning DAVIDS. BARNES, and ending JOEL A. YATES, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1878 NAVY nominations (5) beginning KATHRYN M. HERMSDORFER, and ending DWIGHT E. SMITH, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1879 NAVY nominations (12) beginning CHRISTA D. ALMONTE, and ending SCOTT D. WORTHINGTON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1880 NAVY nominations (4) beginning JEREAL E. DORSEY, and ending KYLE A. RAINES, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1881 NAVY nominations (5) beginning JEFFREY A. BROWN, and ending JOSEPH B. RUFF, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1882 NAVY nominations (8) beginning BRIANS. COOPER, and ending JOHN F. RYAN, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1883 NAVY nomination of Dell M. Griffith, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1884 NAVY nominations (2) beginning LIONEL C. VIGUE, and ending CHARLES YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1885 NAVY nominations (12) beginning DARREN C. BESSETT, and ending GARY D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1886 NAVY nominations (3) beginning SHANE J. EISENBRAUN, and ending MICHAEL W. MURPHREE, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1887 NAVY nomination of Robert A. Scinicariello, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1888 NAVY nomination of Dwayne Porter, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1889 NAVY nominations (4) beginning JOHN P. FERRARI, and ending KEVIN L. WEST, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1890 NAVY nominations (4) beginning MARKA. DUNAWAY, and ending AMIR M. TAVAKOLIRIZI, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1891 NAVY nomination of Motisola T. Bowman, which was received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1892 NAVY nominations (2) beginning HYUN S. CHUN, and ending SCOTT C. MCKINNEY, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1893 NAVY nominations (3) beginning MICHAELT. CURRY, and ending RODNEY H. MOSS, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1894 NAVY nominations (4) beginning CORY M. GROOM, and ending MICHAEL L. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1895 NAVY nominations (4) beginning CASSIUS A. FARRELL, and ending KENNETH J. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1896 NAVY nominations (17) beginning ALLAN M. BAKER, and ending RICHARD M. YEATMAN, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2020.

PN1897 NAVY nominations (8) beginning IAN A. BROWN, and ending KENYA D. WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 020.

PN1954 NAVY nomination of Suzette Inzerillo, which was received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1955 NAVY nomination of Thomas G. Chekouras, which was received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1956 NAVY nominations (36) beginning RYAN P. ANDERSON, and ending GLENN A. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1957 NAVY nominations (11) beginning MICHAEL D. AMEDICK, and ending DENNIS M. WHEELER, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1958 NAVY nominations (16) beginning JEREMY P. ADAMS, and ending ALLENE. WILLEY, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1959 NAVY nominations (69) beginning MARCO A. AYALA, and ending DAVID M. YOU, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1960 NAVY nominations (16) beginning WILLIAM M. ANDERSON, and ending DAVID S. WELDON, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1961 NAVY nominations (14) beginning JERRY J. BAILEY, and ending ERIN R. WILFONG, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1962 NAVY nominations (11) beginning PHILLIP A. CHOCKLEY, and ending DANIEL WERNER, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

PN1963 NAVY nominations (14) beginning KENNETH R. BASFORD, and ending SUSAN M. TILLMON, which nominations were received by the Senate and appeared in the Congressional Record of June 2, 2020.

LEGISLATIVE SESSION

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

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 11:45 a.m. tomorrow, all debate time with respect to the Schatz amendment No. 2252 and the Inhofe amendment No. 2411 expire and the Senate vote in relation to those amendments in that order. I further ask that at 4 p.m. tomorrow, all debate time with respect to the Shaheen amendment No. 1729 and Cornyn amendment No. 2244 expire and the Senate vote in relation to those amendments in that order, with all other provisions under the order of July 2 remaining in effect with respect to these amendments.

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

ADDITIONAL STATEMENTS

COMMISSIONING OF THE USS ''ST. LOUIS'' (LCS–19)

• Mr. BLUNT. Mr. President, today I stand to recognize a historic milestone for the U.S. Navy and for the remarkable city of St. Louis, MO. I am proud that the brandnew USS *St. Louis* (LCS–19) will be commissioned August 8, 2020, and begin service as the Navy's newest littoral combat ship.

The USS *St. Louis* will be the seventh U.S. Navy ship named for the city of St. Louis, which is known as the Gateway to the West and serves as an enduring symbol of our country's westward expansion. From the early days of American expansion through the Cold War, ships carrying the name *St. Louis* have supported U.S. naval operations in many major conflicts. Historic ships named for the city of St. Louis include an ironclad gunboat in the Civil War, a troop transport and protected cruiser during World War I, a light cruiser during World War II, and an amphibious cargo ship during the Cold War era.

It seems only fitting that the very first USS *St. Louis*, which dates back to 1828, was a sail-powered sloop-of-war designed to protect the United States in its littoral zone. Similarly, today's USS *St. Louis*, a Freedom-Class littoral combat ship, boasts the unique capability to operate in near-shore littoral environments as well as blue-water missions. In addition to her operational flexibility, the USS *St. Louis* has reconfigurable payloads known as mission modules that can be quickly changed to adapt to shifting requirements. These mission modules, in combination with crew detachments and air assets, make littoral combat ships like the USS *St. Louis* the Swiss Army knives of the Navy. This ship's innovative technological advances will enhance our Navy's ability to project power into the littoral regions of the world in defense of U.S. interests. President Truman, a Missouri native, once said, ''Carry the battle to them. Don't let them bring it to you.'' The USS *St. Louis* will enable the Navy to do just that.

The USS *St. Louis* also reflects the extraordinary amount of time, expertise, and craftsmanship necessary to produce this great marvel of technology and symbol of American freedom. The defense industrial base,

which employs countless hard-working Americans, is a critical component of our national defense. Each day that the USS *St. Louis* sails in support of her missions around the world will serve as a testament to the hundreds of thousands of hours necessary to manufacture such an advanced, impressive ship. Without the contributions of the industrial base, our Navy would not be able to build the fleet it needs to confront today's challenges and prepare for future threats.

For decades to come, the USS *St. Louis* will represent the people of St. Louis and the Show-Me State of Missouri around the world. I am proud of the role she will play in defending our Nation and safeguarding freedom across the globe. I congratulate the ship's sponsor, Barbara Broadhurst Taylor, along with the Navy and the officers and crew of the USS *St. Louis*, on this historic occasion and wish them all the best as the USS *St. Louis* enters service.●

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2019, the Secretary of the Senate, on July 16, 2020, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, without amendment:

S. 4209. An act to amend title IX of the Social Security Act to improve emergency unemployment relief for governmental entities and nonprofit organizations.

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2. An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 276L, clause 10 of rule I, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the British-American lnterparliamentary Group: Mr. ADERHOLT of Alabama, Mr. COLE of Oklahoma, Mr. LATTA of Ohio, and Mr. THORNBERRY of Texas.

The message further announced that pursuant to 22 U.S.C. 276d, clause 10 of rule I, and the order of the House of January 3, 2019, the Speaker appoints the following Members on the part of the House of Representatives to the Canada-United States Interparliamentary Group: Mr. BERGMAN of Michigan, Mr. BURCHETT of Tennessee, Mr. HAGEDORN of Minnesota, and Mr. STAUBER of Minnesota.

The message also announced that pursuant to section 732(a) of the United States-Mexico-Canada Agreement Implementation Act (Public Law 116–113), the Minority Leader appoints the following member to the Independent Mexico Labor Expert Board: Mr. Stefan Marculewicz of Severna Park, Maryland.

The message further announced that pursuant to section 732(a) of the United States-Mexico-Canada Agreement Implementation Act (Public Law 116–113), the Minority Leader appoints the following member to the Independent Mexico Labor Expert Board: Mr. Philip Miscimarra of Bethesda, Maryland.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 7120. An act to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on July 2, 2020, she had presented to the President of the United States the following enrolled bill:

S. 4116. An act to extend the authority for commitments for the paycheck protection program and separate amounts authorized for other loans under section 7(a) of the Small Business Act, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRAHAM, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3398. A bill to establish a National Commission on Online Child Sexual Exploitation Prevention, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. MCSALLY (for herself, Mr. HAWLEY, Mrs. BLACKBURN, Mr. COTTON, Mr. TILLIS, Mr. ROUNDS, Mr. GRAHAM, and Mrs. CAPITO):

S. 4212. A bill to amend title 28, United States Code, to strip foreign sovereign immunity of certain foreign states to secure justice for victims of novel coronavirus in the United States; to the Committee on the Judiciary.

By Ms. ERNST:

S. 4213. A bill to exclude from income and payroll taxes compensation received by front-line employees during the COVID–19 emergency; to the Committee on Finance.

By Mr. PORTMAN:

S. 4214. A bill to provide a payroll tax credit for certain expenses associated with protecting employees from COVID–19; to the Committee on Finance.

By Mr. ROMNEY (for himself and Mr. LEE):

S. 4215. A bill to designate and adjust certain lands in the State of Utah as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FISCHER (for herself and Ms. ROSEN):

S. 4216. A bill to direct the Secretary of Health and Human Services and the Comptroller General of the United States to conduct studies and report to Congress on actions taken to expand access to telehealth services under the Medicare, Medicaid, and Children's Health Insurance programs during the COVID–19 emergency; to the Committee on Finance.

By Mr. WICKER (for himself, Ms. SMITH, Mrs. HYDE-SMITH, and Mr. JONES):

S. 4217. A bill to amend the Small Business Act to include hospitals serving rural areas or areas of persistent poverty in the paycheck protection program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. TILLIS:

S. 4218. A bill to temporarily prevent emerging growth companies from losing their status during the COVID–19 pandemic, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 4219. A bill to extend the special air traffic rule for civil helicopters operating VFR along the North Shore, Long Island, New York, to require the Administrator of the Federal Aviation Administration to promulgate a new special air traffic rule, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. MURPHY, Mr. SANDERS, Mr. VAN HOLLEN, Mr. MARKEY, Ms. HARRIS, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. MURRAY, Mr. BROWN, Mr. DURBIN, Ms. CANTWELL, Ms. BALDWIN, Mr. KING, Ms. HIRONO, Mr. HEINRICH, Ms. KLOBUCHAR, Ms. WARREN, Ms. DUCKWORTH, and Mr. BENNET):

S. 4220. A bill to limit the use of Federal law enforcement officers for crowd control, and for other purposes; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. ALEXANDER, Mr. CORNYN, Ms. MCSALLY, Mr. YOUNG, Mr. TILLIS, Ms. COLLINS, Mr. DAINES, Mr. GARDNER, and Mr. BOOZMAN):

S. 4221. A bill to provide for grants to support the provision of child care by reopening and maintaining the operation of child care programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida:

S. 4222. A bill to amend chapter 8 of title 5, United States Code, to require Federal agencies to submit to the Comptroller General of the United States a report on rules that are revoked, suspended, replaced, amended, or otherwise made ineffective; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER:

S. 4223. A bill to amend the Mineral Leasing Act to ensure market competition in onshore oil and gas leasing, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SINEMA (for herself and Mr. CORNYN):

S. 4224. A bill to require the Secretary of Homeland Security to assess technology needs along the Southern border and develop a strategy for bridging such gaps; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4225. A bill to establish authority to destroy counterfeit devices offered for import,

and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS:

S. 4226. A bill to require the Secretary of Homeland Security to conduct an assessment of the feasibility and advisability of establishing a fund for the response to, and recovery from, a cyber state of distress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ROSEN (for herself and Mr. CORNYN):

S. 4227. A bill to improve access to economic injury disaster loans and emergency advances under the CARES Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. MCSALLY:

S. 4228. A bill to provide for the demonstration and deployment of water-energy technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 4229. A bill to reaffirm the principles and objectives set forth in the United States-Hong Kong Policy Act of 1992, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 4230. A bill to amend title XVIII of the Social Security Act to expand access to mental health services and certain evaluation and management services furnished through telehealth under the Medicare program; to the Committee on Finance.

By Mr. ALEXANDER:

S. 4231. A bill to strengthen and sustain onshore manufacturing capacity and State stockpiles, and to improve the Strategic National Stockpile; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself and Mr. DAINES):

S. 4232. A bill to amend title VI of the Social Security Act to extend the coverage of Coronavirus Relief Fund payments to Tribal Governments; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DURBIN (for himself, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BOOKER, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. CASEY, Mrs. FEINSTEIN, Mr. MARKEY, Mr. COONS, Mr. WYDEN, and Ms. HARRIS):

S. Res. 652. A resolution expressing the sense of the Senate regarding preconditions for the readmission of the Russian Federation into a reconstituted Group of Eight or participation in the Group of Seven; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 696

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 696, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 904

At the request of Mr. ENZI, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 904, a bill to authorize the Department of Labor's voluntary protection program.

S. 1168

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 1168, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 1357

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1357, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 1362

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1362, a bill to make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.

S. 1720

At the request of Mr. ROUNDS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1720, a bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to allow the interstate sale of State-inspected meat and poultry, and for other purposes.

S. 2022

At the request of Mr. MORAN, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2022, a bill to amend title 38, United States Code, to provide for improvements to the specially adapted housing program of the Department of Veterans Affairs, and for other purposes.

S. 2570

At the request of Ms. SINEMA, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from West Virginia (Mrs. CAPITO), the Senator from Maine (Ms. COLLINS), the Senator from North Dakota (Mr. CRAMER), the Senator from Missouri (Mr. HAWLEY), the Senator from Virginia (Mr. KAINE), the Senator from Washington (Mrs. MURRAY), the Senator from Michigan (Mr. PETERS), the Senator from Rhode Island (Mr. REED), the Senator from South Dakota (Mr. ROUNDS), the Senator from Vermont (Mr. SANDERS), the Senator from New York (Mr. SCHUMER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from South Dakota (Mr. THUNE) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2715

At the request of Mr. BLUNT, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2715, a bill to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

S. 3038

At the request of Mr. PETERS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3038, a bill to promote innovative acquisition techniques and procurement strategies, and for other purposes.

S. 3064

At the request of Mr. WICKER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3064, a bill to oppose violations of religious freedom in Ukraine by Russia and armed groups commanded by Russia.

S. 3152

At the request of Ms. ROSEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3152, a bill to require the Federal Communications Commission to incorporate data on maternal health outcomes into its broadband health maps.

S. 3287

At the request of Mr. ENZI, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3287, a bill to modify the governmentwide financial management plan, and for other purposes.

At the request of Mr. WARNER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3287, supra.

S. 3393

At the request of Mr. CRAPO, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 3393, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 3455

At the request of Mr. HAWLEY, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 3455, a bill to prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation.

S. 3612

At the request of Mr. CORNYN, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 3620

At the request of Mr. REED, the names of the Senator from New York

(Mrs. GILLIBRAND), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Delaware (Mr. COONS), the Senator from Michigan (Ms. STABENOW), the Senator from Nevada (Ms. ROSEN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. CARPER) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 3620, a bill to establish a Housing Assistance Fund at the Department of the Treasury.

S. 3685

At the request of Mr. BROWN, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 3685, a bill to provide emergency rental assistance under the Emergency Solutions Grants program of the Secretary of Housing and Urban Development in response to the public health emergency resulting from the coronavirus, and for other purposes.

S. 3745

At the request of Mr. DURBIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Rhode Island (Mr. REED) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 3745, a bill to direct the Secretary of Education to provide relief to borrowers of student loans for whom the Department of Education found misrepresentation by the institution of higher education or a State attorney general has asserted a right to borrower defense discharge.

S. 3793

At the request of Mr. WARNER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3793, a bill to amend the CARES Act to modify the employee retention tax credit to secure the paychecks and benefits of workers, to provide a refundable credit against payroll taxes for the operating costs of employers, to amend the Internal Revenue Code of 1986 to provide a small business rebate, and for other purposes.

S. 3806

At the request of Mrs. HYDE-SMITH, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3806, a bill to waive cost share requirements for certain Federal assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

S. 3812

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3812, a bill to amend title 38, United States Code, to expand eligibility for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II.

S. 3856

At the request of Ms. WARREN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3856, a bill to authorize emergency homeless assistance grants under the Emergency Solutions Grants program of the Department of Housing and Urban Development for response to the public health emergency relating to COVID–19, and for other purposes.

S. 3933

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3933, a bill to restore American leadership in semiconductor manufacturing by increasing Federal incentives in order to enable advanced research and development, secure the supply chain, and ensure long-term national security and economic competitiveness.

S. 3997

At the request of Mr. PORTMAN, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 3997, a bill to strengthen the security and integrity of the United States scientific and research enterprise.

S. 3998

At the request of Mrs. HYDE-SMITH, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3998, a bill to amend title XVIII of the Social Security Act to simplify payments for telehealth services furnished by Federally qualified health centers or rural health clinics under the Medicare program, and for other purposes.

S. 3999

At the request of Mr. KING, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 3999, a bill to amend title XVIII of the Social Security Act to ensure access to mental health and behavioral health services furnished through telehealth under the Medicare program.

S. 4003

At the request of Mr. MENENDEZ, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 4003, a bill to improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and to build the capacity of humanitarian actors to address the immediate and long-term challenges resulting from such violence, and for other purposes.

S. 4012

At the request of Mr. WICKER, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 4012, a bill to establish a $120,000,000,000 Restaurant Revitalization Fund to provide structured relief to food service or drinking establishments through December 31, 2020, and for other purposes.

S. 4034

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. CRAMER) 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. 4068

At the request of Mr. BLUMENTHAL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 4068, a bill to prohibit firearms dealers from selling a firearm prior to the completion of a background check.

S. 4076

At the request of Ms. WARREN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 4076, a bill to remove Confederate names, symbols, displays, monuments, and paraphernalia from assets of the Department of Defense.

S. 4085

At the request of Ms. ERNST, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 4085, a bill to make certain States and political subdivisions of States ineligible to receive Federal finance assistance, and for other purposes.

S. 4086

At the request of Mr. BOOZMAN, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from North Carolina (Mr. TILLIS), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of 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.

S. 4108

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 4108, a bill to amend title XIX of the Social Security Act to increase Federal support to State Medicaid programs during economic downturns, and for other purposes.

S. 4110

At the request of Mr. RUBIO, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 4110, a bill to designate residents of the Hong Kong Special Administrative Region as Priority 2 refugees of special humanitarian concern, and for other purposes.

S. 4129

At the request of Mr. WICKER, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 4129, a bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.

S. 4138

At the request of Mr. LANKFORD, the name of the Senator from Delaware

(Mr. COONS) was added as a cosponsor of S. 4138, a bill to amend title 5, United States Code, to make permanent the authority of the United States Patent and Trademark Office to conduct a telework travel expenses program.

S. 4157

At the request of Mr. JOHNSON, the names of the Senator from Michigan (Mr. PETERS) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 4157, a bill to amend the Homeland Security Act of 2002 to expand the authority of the National Infrastructure Simulation and Analysis Center, and for other purposes.

S. 4162

At the request of Mrs. FISCHER, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 4162, a bill to provide certainty for airport funding.

S. 4169

At the request of Mr. PETERS, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 4169, a bill to establish a National Commission on United States Counterterrorism Policy, and for other purposes.

S. 4172

At the request of Mr. BROWN, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 4172, a bill to provide emergency funding for child welfare services provided under parts B and E of title IV of the Social Security Act, and for other purposes.

S. 4181

At the request of Mr. REED, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 4181, a bill to establish a Library Stabilization Fund to respond to and accelerate the recovery from coronavirus.

S. 4196

At the request of Mr. SCOTT of Florida, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 4196, a bill to modify, consolidate, or repeal unnecessary agency major rules, and for other purposes.

S.J. RES. 16

At the request of Mr. MERKLEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct election of the President and Vice President of the United States.

S. RES. 274

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. Res. 274, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and other rights for adhering to their beliefs and practices, and condemning the practice of non-consenting organ harvesting, and for other purposes.

AMENDMENT NO. 1681

At the request of Ms. WARREN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1681 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. SANDERS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors 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. 1883

At the request of Mr. ROMNEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1883 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. 1887

At the request of Mrs. HYDE-SMITH, the names of the Senator from Arizona (Ms. SINEMA), the Senator from Arizona (Ms. MCSALLY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 1887 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. 1901

At the request of Ms. ERNST, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of amendment No. 1901 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. 1907

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1907 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. 1932

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 1932 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. 1970

At the request of Mr. CRAPO, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of amendment No. 1970 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. 1982

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1982 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. 1983

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1983 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. 2049

At the request of Ms. ROSEN, her name was added as a cosponsor of amendment No. 2049 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. 2067

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 2067 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. 2244

At the request of Mr. CORNYN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of amendment No. 2244 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. 2252

At the request of Mr. MERKLEY, his name was added as a cosponsor of amendment No. 2252 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.

At the request of Mr. WYDEN, his name was added as a cosponsor of amendment No. 2252 intended to be proposed to S. 4049, supra.

AMENDMENT NO. 2341

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2341 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. 2364

At the request of Mr. RUBIO, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Alabama (Mr. JONES), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 2364 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 4219. A bill to extend the special air traffic rule for civil helicopters operating VFR along the North Shore, Long Island, New York, to require the Administrator of the Federal Aviation Administration to promulgate a new special air traffic rule, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

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

S. 4219

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 ''Long Island All-Water Helicopter Route Act of 2020''.

SEC. 2. LONG ISLAND, NEW YORK, NORTH SHORE AND SOUTH SHORE HELICOPTER ROUTES.

(a) EXTENSION OF SPECIAL AIR TRAFFIC RULE FOR NORTH SHORE.—Notwithstanding the ending date for the period described in section 93.101 of title 14, Code of Federal Regulations, the special air traffic rule for civil helicopters operating VFR along the North Shore, Long Island, New York, in effect under subpart H of part 93 of title 14, Code of Federal Regulations, on August 6 2020, shall remain in effect through the day before the date on which the final version of the special air traffic rule promulgated under subsection (b) is published.

(b) RULEMAKING PROCEEDING .—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration (in this section referred to as the ''Administrator'') shall conduct a rulemaking proceeding to promulgate a special air traffic rule for civil helicopters operating VFR along the North Shore and South Shore of Long Island, New York, in accordance with the requirements of this subsection.

(2) REQUIREMENTS.—The special air traffic rule promulgated under this subsection shall require the following:

(A) NORTH SHORE HELICOPTER ROUTE.—Each person who pilots a civil helicopter operating VFR along Long Island, New York's northern shoreline between the VPLYD waypoint and Plum Island shall—

(i) based on the most recently published editions by the Federal Aviation Administration of the New York Helicopter Route Chart and the Northeast Aeronautical Chart Bulletin, adhere to an all-water North Shore Helicopter Route that includes operating around Orient Point, Shelter Island, and Plum Island;

(ii) mitigate noise by flying at least 1 mile from the shoreline and at an altitude of not less than 2,500 feet mean sea level; and

(iii) prohibit deviations from the North Shore Helicopter Route for purposes of transitioning to or from a destination or point of landing when departing from or arriving to locations east of longitude 72°16'04″ W.

(B) SOUTH SHORE HELICOPTER ROUTE.—Each person who pilots a civil helicopter operating VFR along Long Island, New York's southern shoreline between Breezy Point Jetty and the VPMLT waypoint shall—

(i) based on the most recently published editions by the Federal Aviation Administration of the New York Helicopter Route Chart and the Northeast Aeronautical Chart Bulletin, adhere to an all-water South Shore Helicopter Route; and

(ii) mitigate noise by flying at least 1 mile from the shoreline and at an altitude of not less than 2,500 feet mean sea level.

(C) EXCEPTIONS.—A person who pilots a civil helicopter operating VFR along Long Island, New York's northern shoreline or southern shoreline may deviate from the North Shore Helicopter Route or South Shore Helicopter Route—

(i) when necessary for safety or weather conditions; or

(ii) except as prohibited under subparagraph (A)(iii), when transitioning to or from a destination or point of landing.

(D) FLIGHT REPORT.—

(i) SUBMISSION.—If safety or weather conditions cause a person piloting a civil helicopter operating VFR to deviate from the North Shore Helicopter Route or South Shore Helicopter Route, the person shall submit a 1-page report to the Administrator identifying the condition not later than 14 days after landing.

(ii) PUBLIC DATABASE.—The Administrator shall make the reports submitted under clause (i) publically available in an online searchable database.

(3) DEADLINES.—

(A) RULEMAKING PROCEEDING.—Not later than 90 days after the date of enactment of this Act, the Administrator shall publish a notice of proposed rulemaking to carry out the requirements of this section.

(B) PUBLIC COMMENT PERIOD.—The Administrator shall provide notice of, and an opportunity for, at least 30 days of public comment on the special air traffic rule promulgated under this subsection.

(C) EFFECTIVE DATE OF SPECIAL AIR TRAFFIC RULE.—Not later than May 1, 2021, the Administrator shall publish a final version of the special air traffic rule promulgated under this subsection which shall take effect upon publication.

(c) REPEAL.—Effective on the date on which the final version of the special air traffic rule promulgated under subsection (b) is published by the Administrator, subpart H of part 93 of title 14, Code of Federal Regulations, is repealed.

By Mr. ALEXANDER:

S. 4231. A bill to strengthen and sustain on-shore manufacturing capacity and State stockpiles, and to improve the Strategic National Stockpile; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, our great country has developed a dangerous habit when it comes to pandemics. Public health experts call it panic, neglect, panic.

In 2007, after the emergence of the Asian flu, former Utah Governor Mike Leavitt, who was then the Secretary of Health and Human Services, put it this way:

> Everything we do before a pandemic seems alarmist. Everything we do after a pandemic will seem inadequate. This is the dilemma we face, but it should not stop us from doing what we can to prepare.

That was Governor Mike Leavitt.

Fifteen years ago, then-majority leader of the U.S. Senate, Dr. Bill Frist, told me and told our committee—he made 20 speeches predicting this—that a viral pandemic was no longer a question of if but a question of

when. Now, this is in the 2005–2006 era, 15 years ago.

He recommended then, Dr. Frist did, what he called a six-point public health prescription to minimize the blow: communication, surveillance, antivirals, vaccines, research, stockpile/surge capacity.

Four Presidents of the United States and several Congresses have done some of what needed to be done to prepare for pandemics but not enough of it. There is substantial agreement on all sides about what to do. There is even more agreement that, if we wait until this pandemic is over to do it, we will fall into the familiar cycle of panic, neglect, panic.

So the obvious thing for this Congress to do now, this month, while we are in the middle of a pandemic, while we have our eye on the ball, before we lose our focus, while we are spending $4 trillion or more mostly to repair the damage caused by this pandemic, is that we should authorize and spend the few billions that it takes to be prepared for the next pandemic.

That is why I am introducing today the Preparing for the Next Pandemic Act, and that would take three of the most obvious steps about which there is near universal agreement: One, make certain that we have and maintain sufficient manufacturing capacity within the United States to produce tests, treatments, and vaccines so that we don't have to rely on manufacturing plants in China and India or any foreign country.

Now, how difficult is that to decide? Do we really want our vaccines made in China or India or any other foreign country? So shouldn't we do something now to make sure that—for the next pandemic as well as this one—we produce them here?

Two, make sure that Federal and State stockpiles have sufficient protective equipment—masks, gowns—ventilators, and other absolutely essential supplies so that we don't run out during this pandemic or the next one. Now, how controversial could that be? Do we really want to run out of masks and protective equipment in the next pandemic or in what remains of this one?

Three, create more authority for the Federal Government to work with private companies to maintain more supplies and manufacturing capacity for products that are needed during a public health emergency.

We have the strongest, best, most creative private sector in the world. Why would we not want our government working with it as much as it possibly could to save our lives during this pandemic and the next pandemic?

The act also does the one thing that all of the experts with whom we have talked say is essential: Make sure there is a steady stream of money for the next 10 years so there is no lapse in preparedness. I would propose that we do this with 10 years of advance appropriations; in other words, that we appropriate this year $15 billion and spend it over 10 years—that is $1.5 billion a year—so Congress will be able to continue its oversight and make certain that our manufacturing plants onshore are kept up to date and that State stockpiles in Alaska, Tennessee, and every State and the Federal stockpile are not depleted during tough budget times, which we know will surely come, just as surely as we know the next pandemic will come.

On June 9, I released a white paper on steps I thought Congress should take before the end of the year in order to get ready for the next pandemic. I am not a medical expert. So the main purpose of my white paper, as chair of the Senate's Health Committee, was to elicit recommendations to Congress from the experts that we could consider and act on this year. We asked the experts to get their ideas in by June 26.

I asked for recommendations in five areas:

No. 1, tests, treatments, and vaccines; how do we accelerate research and development?

No. 2, disease surveillance; expand our ability to detect, identify, model, and track emerging infectious diseases.

No. 3, stockpiles, distribution, and surges; rebuild and maintain the Federal and State stockpiles and improve the medical supply surge capacity and distribution; in other words, make sure we have masks and gowns and ventilators so the hospitals are ready if something happens.

No. 4, public health capabilities; improve State and local capacity to respond. Most of our public health is taken care of not here but by our State and local public health departments.

Finally, who is on the flagpole? That is improving coordination of Federal agencies during a public health emergency.

Our committee, the Senate's Health Committee, received 350 responses from leading public health experts around the country. They had many recommendations for short-term and long-term proposals to address future pandemics. As my staff and I reviewed these proposals and other feedback, I asked us to focus on targeted ideas that would generate broad bipartisan consensus and help address some of the most pressing issues that we are facing today.

That led us to three strategic areas: One, sustaining onshore manufacturing—22 responses mentioned that. Two, creating and sustaining the State stockpiles—23 mentioned that. Improving the Federal stockpile—24 mentioned that.

These are recommendations from public health experts and bipartisan leaders who have convened the experts. Some of those from whom we heard included Dr. Frist; Governor Ridge, who is cochair of the Bipartisan Commission on Biodefense; former Senator Joe Lieberman, cochair of that same commission; Dr. Julie Gerberding, former Director for the Centers for Disease Control and Prevention; Andy Slavitt, who during the Obama administration was the Acting Administrator of the Centers for Medicare and Medicaid Services. They all said basically the same thing when it came to these three priorities.

So I introduced today the Preparing for the Next Pandemic Act in three parts: One, onshore manufacturing, which provides new, sustained funding—$5 billion over 10 years, half a billion a year—to maintain sufficient onshore manufacturing for tests, treatments, and vaccines so that, when a new virus emerges, we have a facility in this country ready to manufacture these products as quickly as possible.

Two, State stockpiles, which provides new, sustained funding—$10 billion over 10 years; that is $1 billion a year—so States can create and maintain their own stockpiles of supplies, like masks and ventilators, with help from the Federal Government.

Now, this would be done with some restrictions because what really happened before was that a lot of the States and some of the hospitals, because they had budget shortages, said: Well, we can deplete our stockpiles and save some money. So they saved some money, but when the next pandemic arrived, we weren't ready, the stockpile wasn't full, and people suffered because of that.

Finally, Federal stockpiles. This legislation improves the Federal Strategic National Stockpile by allowing the Federal Government to work with private companies to maintain additional supplies and manufacturing capacity so we are even better prepared for the next pandemic.

Now, there is more to do to be ready for any future pandemic, but these are three steps that we ought to do right now, this month, as part of whatever COVID–19 phase 4 legislation we can agree upon.

In our Senate Health Committee hearing on June 23, this is what former Senate Majority Leader Dr. Bill Frist had to say about the need for sustained funding to better prepare for the next pandemic:

We do have to keep a revenue stream out there, Dr. Frist said, that is dependable, that is sustainable, that is long-term, and that is flexible. What we are really dealing with is a rare but certain event, said Dr. Frist, and the rarity is hard for Congress to deal with because of the attention span of Congress, and that is where it is important to have timelines that are 10 or 15 years out.

Markets tend to look day to day, said Dr. Frist. Therefore, this means we are going to have to have some sort of public funding that would guarantee a market over that 10-year or 15-year period when that certain event, that certain pandemic, will occur.

Now, there is precedent for what I am proposing today. In 2003, Senator Judd Gregg of New Hampshire—in fact, he

used to stand at this desk and make excited and well informed speeches, and I used to sit right there and listen to him, and he was one of our best U.S. Senators—was chairman of the same Health Committee that I am chairman of today. He then recognized, in 2003, the need for a clear, long-term commitment from the Federal Government to prepare for public health emergencies like COVID–19.

That year, Congress passed what we called Project Bioshield with the leadership of Senator Gregg, Congressman HAL ROGERS, Senator Cochran of Mississippi, and others. The legislation provided $5 billion in advance appropriations to be used over the next 10 years to buy treatments and vaccines for threats like anthrax and smallpox.

Reflecting on that experience in an editorial earlier this year, Senator Gregg wrote: ''In this instance, Congress actually anticipated a serious issue and began addressing it effectively.''

''Congress actually anticipated a serious issue and began addressing it effectively.'' Well, why doesn't Congress do that again? If it worked before, why don't we do it again? Why don't we make sure that the next time we have a pandemic, our manufacturing plants aren't in China or India? We can do that with a very modest amount of money, compared to the trillions of dollars that we are talking about for other things.

At our June 23 hearing, speaking about Federal efforts to build manufacturing capacity to respond to a pandemic flu, Governor Leavitt said: ''What I think we did not do adequately as a country, over the course of time, is maintain those manufacturing plants in a way that they were warm and could be stood up quickly.''

In other words, we have had this idea before. We supported building new manufacturing plants, but we lost interest in it—panic, neglect, panic. And they weren't warm, said Governor Leavitt, when the time came that we needed them.

Regarding stockpiles, Dr. Frist said, we need ''not the incremental improvement of stockpiles and means of distribution, but the creation of great and secure stores and networks, with every needed building, laboratory, airplane, truck, and vaccination station, no excuses, no exceptions, everywhere, and for everyone.'' That is what Dr. Frist said at our hearing. And he said it 15 years ago.

Former Director of the Centers for Disease Control and Prevention, Dr. Judy Gerberding, said at our hearing:

> In the face of an unprecedented public health crisis like the coronavirus, we have seen the Strategic National Stockpile deliver some promising innovations but at the same time discovered areas where there is room for improvement. . . . The COVID–19 pandemic provides us an opportunity to make pragmatic changes; we must act now to avoid becoming complacent and finding ourselves in the same position when the next pandemic occurs.

Panic, neglect, panic.

There is also broad agreement about some additional steps Congress needs to take to prepare for the next pandemic, including disease surveillance, restoring support for our State and local public health systems—Governor Leavitt said they have been seriously underfunded for the last 30 or 40 years—and better coordination of pandemic response.

I don't propose to deal with those three things today, but I do intend to keep legislation to better prepare for future pandemics on the top of the congressional to-do list until it is done.

In this internet age, attention spans are short. Even with an event as significant as COVID–19, memories fade, and attention moves on quickly to the next crisis. That makes it imperative that Congress act on needed changes this year in order to better prepare for next pandemic, which might be in 20 years or might be next year or next month. The only thing we know for certain is that it will come.

Let us not succumb to the familiar, dangerous habit of panic, neglect, panic. At least Congress can take these three steps to keep vaccine manufacturing on our shores and stockpiles supplied now while the pandemic has our attention, while we have our eye on the ball.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the summary of responses the Health Committee received in response to the white paper that I released on June 9.

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

SUMMARY OF RESPONSES TO ''PREPARING FOR THE NEXT PANDEMIC'' WHITE PAPER

(By Senator Lamar Alexander)

On June 9, Chairman Alexander released ''Preparing for the Next Pandemic,'' a white paper with five recommendations to address future pandemics based on lessons learned from COVID–19 and the past 20 years of public health preparedness. The main purpose of the white paper was to elicit recommendations and feedback from experts who have studied public health preparedness that Congress could consider and act on this year. The Committee received over 350 responses to specific questions posed by the white paper and more broadly on the topic of public health and medical preparedness and response.

1. TESTS, TREATMENTS, AND VACCINES—ACCELERATE RESEARCH AND DEVELOPMENT

Among those responses focused on accelerating research and development of tests, treatments, and vaccines, respondents recommended leveraging public-private partnerships and tapping into strategic computing reserves, expanding the capacities of the Biomedical Advanced Research and Development Authority (BARDA), and sustaining on-shore manufacturing for high-priority countermeasures, like vaccines and treatments, and other aspects of pharmaceutical manufacturing, such as active pharmaceutical ingredients and fill-finish capacity for bulk drug substances. While the federal government currently has robust programs in these areas, commenters recommended that these programs be bolstered further, better integrated with one another, and improve coordination of priorities across programs, particularly between BARDA and the National Institutes of Health.

2. DISEASE SURVEILLANCE—EXPAND ABILITY TO DETECT, IDENTIFY, MODEL AND TRACK EMERGING INFECTIOUS DISEASES

The need for improved emerging infectious disease surveillance was addressed by several commenters. Many stakeholders suggested improving the public health information systems by modernizing current public health data reporting systems and better integrating such systems. Commenters specifically mentioned the public health data systems modernization provisions included in the Lower Health Care Costs Act as a solution to this problem. In addition, many responses included suggestions for how to improve contact tracing capabilities within states. Some experts mentioned investing in improved disease surveillance and leveraging technology or private-public partnerships in order to better detect, identify, and model emerging infectious diseases.

3. STOCKPILES DISTRIBUTION AND SURGES—REBUILD AND MAINTAIN FEDERAL AND STATE STOCKPILES AND IMPROVE MEDICAL SUPPLY SURGE CAPACITY AND DISTRIBUTION

Many commenters discussed the need for improved stockpiling and distribution of medical supplies. General themes covered by commenters on this subject include improved situational awareness and streamlined distribution of medical supplies and countermeasures, such as testing supplies, personal protective equipment, and an eventual COVID–19 vaccine; better oversight of the contents of stockpiles; and improved coordination between federal, state, and local governments. Some commenters discussed their preference for an enhanced federal role in stockpiling and distributing supplies. However, other commenters agreed that increasing stockpiles at the state and local level and in health care facilities would provide more efficient access to supplies during a public health emergency. Commenters who agreed with the concept of state stockpiles highlighted the need for strong coordination between the federal government and the states on stockpile inventories and deployments so that supplies are used as efficiently as possible. Additionally, some commenters pointed out that certain products, like specialized countermeasures for threats like anthrax and smallpox, would not be appropriate to stockpile at the state level. Rather, they said that state stockpiles should focus on products like personal protective equipment and broad-spectrum antibiotics, which are typically available through commercial distributors and are useful across responses.

4. PUBLIC HEALTH CAPABILITIES—IMPROVE STATE AND LOCAL CAPACITY TO RESPOND

Many experts and stakeholders addressed the importance of improving public health infrastructure, and recommended additional funding to enhance state and local response capabilities. Specifically, some experts suggested bolstering testing infrastructure, and investing in greater state laboratory and biosafety laboratory capacity. They also highlighted the need for an improved public health workforce by implementing additional preparedness training for health care providers and public health workers. Lastly, commenters suggested making permanent several temporary flexibilities provided during the COVID–19 public health emergency that have expanded access to telehealth services, as well as improving interoperability for electronic health records.

5. WHO IS ON FLAGPOLE?—IMPROVE COORDINATION OF FEDERAL AGENCIES DURING A PUBLIC HEALTH EMERGENCY

Many commenters also addressed the lack of consistent coordination between the federal government, states, and the private sector and uncertainty over federal leadership during a pandemic. Generally, commenters agreed that the Office of the Assistant Secretary for Preparedness and Response (ASPR) at the U.S. Department of Health and Human Services is the right entity to coordinate the day-to-day operational response to a public health emergency. However, multiple commenters noted that ASPR does not have sufficient authority to direct the activities of other departments and agencies, which is necessary during a whole-of-government response. Additionally, these commenters noted that White House involvement, both during a response and when there is no public health emergency in effect, is necessary to ensuring coordination among departments and agencies and that public health preparedness remains a top priority, even after COVID–19. Some commenters recommended reestablishing an office within the National Security Council focused on biodefense to institutionalize this responsibility.

6. ADDITIONAL COMMENTS

A theme across all responses was a specific need for increased and sustained funding for public health preparedness programs. Over the past several decades, funding for these programs at the federal, state, and local levels has experienced inconsistencies. In areas where funding has occasionally increased, such as for research, development, and procurement of medical countermeasures, these increases have been relatively modest and often not consistent year to year. This variability in funding has led to uncertainty from the private sector and other levels of government that these capabilities will be there when the country needs to respond to a public health threat. Without sustained and reliable funding for these programs, commenters stated that we will not be prepared for the next pandemic.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 652—EXPRESSING THE SENSE OF THE SENATE REGARDING PRECONDITIONS FOR THE READMISSION OF THE RUSSIAN FEDERATION INTO A RECONSTITUTED GROUP OF EIGHT OR PARTICIPATION IN THE GROUP OF SEVEN

Mr. DURBIN (for himself, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BOOKER, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. CASEY, Mrs. FEINSTEIN, Mr. MARKEY, Mr. COONS, Mr. WYDEN, and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 652

Whereas, since 2014, the Russian Federation has illegally occupied Crimea and Donbass, which was condemned in the Senate by passage of Senate Resolution 378 by unanimous consent in the 113th Congress;

Whereas, in March 2014, the Group of Eight suspended the Russian Federation as a direct result of its actions in Ukraine and instead continued as the Group of Seven;

Whereas, since 2014, the Russian Federation has also continued malign attacks on western democracies, including ongoing aggressive cyber and military provocations; and

Whereas the Russian Federation has reportedly offered bounties to kill members of the United States Armed Forces deployed in Afghanistan: Now, therefore, be it

Resolved, That it is the sense of the Senate that, as precondition for readmission into a reconstituted Group of Eight or participation in a Group of Seven proceeding, the Russian Federation must—

(1) end its illegal occupation of Crimea and Donbass;

(2) cease its malign activities against the United States and its allies; and

(3) terminate any bounties against members of the United States Armed Forces.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2436. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 2437. Ms. KLOBUCHAR (for herself and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2438. Mr. KING (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 2439. Mr. KING (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 2440. Mr. KING (for himself, Mr. ALEXANDER, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2441. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2442. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2443. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2444. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2445. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2446. Mr. MORAN (for himself, Ms. CANTWELL, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2447. Mr. MORAN (for himself, Ms. CANTWELL, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2448. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2449. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2450. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2451. Ms. WARREN (for Mr. MARKEY (for himself, Ms. WARREN, and Mr. BROWN)) submitted an amendment intended to be proposed by Ms. WARREN to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2452. Ms. WARREN (for Mr. MARKEY (for himself, Ms. WARREN, Mr. BOOKER, Mr. BLUMENTHAL, Mr. WYDEN, Mr. VAN HOLLEN, Mr. MENENDEZ, Ms. BALDWIN, Mr. WHITEHOUSE, and Ms. HIRONO)) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2453. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2454. Ms. McSALLY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2455. Ms. CORTEZ MASTO (for herself, Mr. DAINES, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. CRAMER, Ms. HASSAN, Mr. JONES, Mr. KAINE, Mr. PETERS, Ms. ROSEN, Mrs. SHAHEEN, Mr. UDALL, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2456. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2457. Mr. MERKLEY (for himself, Mr. WYDEN, Mr. MURPHY, Mr. SANDERS, Mr. VAN HOLLEN, Mr. MARKEY, Ms. HARRIS, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. MURRAY, Mr. BROWN, Mr. DURBIN, Ms. CANTWELL, Ms. BALDWIN, Mr. KING, Ms. HIRONO, Mr. HEINRICH, Ms. KLOBUCHAR, Ms. WARREN, Ms. DUCKWORTH, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2458. Ms. McSALLY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2459. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2460. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2461. Mr. REED submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2462. Mr. VAN HOLLEN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S.

4049, supra; which was ordered to lie on the table.

SA 2463. Mr. VAN HOLLEN (for himself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. UDALL, Mr. COONS, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2464. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2465. Mr. CRAPO (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2466. Mr. LANKFORD (for himself, Ms. SINEMA, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2467. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2468. Mr. MENENDEZ (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 2469. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2470. 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 2471. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2472. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2473. Mr. PETERS (for himself, Mr. PORTMAN, Mr. KING, and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2474. 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 2475. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2476. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2477. Mr. LEE (for himself, Mr. PETERS, Mr. JOHNSON, Mr. UDALL, Mr. TOOMEY, Mr. ROMNEY, Mr. CORNYN, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2478. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2479. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2480. 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 to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2436. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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, insert the following:

SEC. 382. EXTENSION OF PERIOD OF TEMPORARY AUTHORITY TO EXTEND CONTRACTS AND LEASES UNDER THE ARMS INITIATIVE.

Section 343 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 7554 note) is amended by striking ''the date that is five years after the date of the enactment of this Act'' and inserting ''November 25, 2025,''.

SA 2437. Ms. KLOBUCHAR (for herself and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. 752. EVALUATION OF EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS OR OTHER AIRBORNE CONTAMINANTS FOR MEMBERS OF THE ARMED FORCES AND VETERANS WHO HAVE TESTED POSITIVE FOR A PANDEMIC VIRUS AND INCLUSION OF INFORMATION IN REGISTRY.

(a) EVALUATION OF DUAL EXPOSURE.—

(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall ensure that the first health assessment conducted by the Department of Defense for a member of the Armed Forces after the member tested positive for a virus certified by the Federal Government as a pandemic includes an evaluation described in paragraph (3).

(2) DEPARTMENT OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall ensure that the first health care examination conducted for a veteran under the laws administered by the Secretary after the veteran tested positive for a virus certified by the Federal Government as a pandemic includes an evaluation described in paragraph (3).

(3) EVALUATION DESCRIBED.—An evaluation described in this paragraph conducted with respect to an individual is an evaluation of whether the individual has been—

(A) based or stationed at a location where an open burn pit was used; or

(B) exposed to toxic airborne chemicals or other airborne contaminants relating to service in the Armed Forces, including an evaluation of any information recorded as part of the Airborne Hazards and Open Burn Pit Registry.

(4) INCLUSION IN MEDICAL RECORDS.—If the Secretary of Defense or the Secretary of Veterans Affairs, pursuant to an evaluation conducted under this subsection, determines that an individual who tested positive for a virus certified by the Federal Government as a pandemic was also based or stationed at a location where an open burn pit was used or exposed to toxic airborne chemicals or other airborne contaminants relating to service in the Armed Forces, the Secretary of Defense or the Secretary of Veterans Affairs, as the case may be, shall include in the medical record of the individual information regarding the positive test result and the exposure to burn pits or other airborne chemicals or contaminants.

(b) INCLUSION OF INDIVIDUALS IN REGISTRY.—

(1) IN GENERAL.—If an evaluation conducted under subsection (a) with respect to an individual establishes that the individual was based or stationed at a location where an open burn pit was used, or that the individual was exposed to toxic airborne chemicals or other airborne contaminants, the individual shall be enrolled in the Airborne Hazards and Open Burn Pit Registry unless the member elects to not enroll in such registry.

(2) MECHANISM FOR ENROLLMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a mechanism for the enrollment of individuals in the Airborne Hazards and Open Burn Pit Registry under paragraph (1).

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude eligibility of a veteran for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the history of exposure of the veteran to an open burn pit not being recorded in an evaluation conducted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SEC. 753. 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, in consultation with the Secretary of Defense, 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 PANDEMIC.—The Secretary of Veterans Affairs, through the Center, shall analyze potential lessons learned through the study conducted under subsection (a) to assist in preparing the Department of Veterans Affairs for potential 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 PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SA 2438. Mr. KING (for himself and Mr. SASSE) 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 INTEGRATION OF UNITED STATES CYBER CENTERS.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a comprehensive review of the Federal cyber and cybersecurity centers in operation on the date of enactment of this Act.

(b) ELEMENTS OF REVIEW.—The review required under subsection (a) shall—

(1) with respect to each Federal cyber center—

(A) assess where the missions and operations, or portions of the mission, of the Federal cyber center are unique, overlap, are inefficient, or are in conflict in some way with the mission of the authorizing agency of the Federal cyber center;

(B) assess aspects of the operations of the Federal cyber center that would benefit from greater integration, collaboration, or collocation to support a unified cybersecurity strategy within the Federal government,

(C) assess shortcomings in the capacity, structure, and funding of the Federal cyber center and in the integration of the work of the Federal cyber center with sector-specific agencies; and

(D) assess whether the Federal cyber center has distinct statutory authorities best kept within the authorizing agency of the Federal cyber center;

(2) assess any shortcomings in the Federal cyber centers that inhibit the ability of the Federal cyber centers to support the Cybersecurity and Infrastructure Security Agency in the role of Cybersecurity and Infrastructure Security Agency as the primary interface between the Federal Government and critical infrastructure for cybersecurity;

(3) assess whether an integrated national cybersecurity model, such as the National Cybersecurity Center of the United Kingdom, is an effective model for the United States;

(4) recommend procedures and criteria for expanding the integration of public- and private-sector personnel into Federal Government cyber defense and security efforts, including any limitations posed by the security clearance program for private sector expertise; and

(5) recommend a cyber center structure that strengthens a public-private, integrated cyber center within the Cybersecurity and Infrastructure Security Agency that optimizes efficiency, minimizes redundancy, and increases information and expertise sharing in support of the critical infrastructure security and resilience mission.

(c) FEDERAL CYBER CENTERS DESCRIBED.—The review required to be conducted under subsection (a) shall include in the review, at a minimum, the following Federal cyber centers:

(1) The Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(2) The Cyber Threat Operations Center of the National Security Agency.

(3) The Joint Operations Center of Cyber Command.

(4) The Cyber Threat Intelligence Integration Center of the Office of the Director of National Intelligence.

(5) The National Cyber Investigative Joint Task Force of the Federal Bureau of Investigation.

(6) The Defense Cyber Crime Center of the Department of Defense.

(7) The Intelligence Community Security Coordination Center of the Office of the Director of National Intelligence.

(8) Any other sector-specific or agency centers proposed or under consideration by the Comptroller General of the United States.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit a report on the review required under subsection (a) to—

(A) the Committee on Armed Services, the Committee on Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FORM OF REPORT.—The report required under paragraph (1) may be submitted in unclassified form, and may contain a classified annex, if necessary.

(e) SENSE OF THE SENATE.—It is the sense of the Senate that, after submission of the report under subsection (d), the Secretary of Homeland Security, in coordination with the intelligence community, should conduct a regular review regarding—

(1) the status of Federal cyber center integration efforts;

(2) whether any findings of the review conducted under subsection (a) should be updated;

(3) whether additional resources or authorities required to support Federal cyber centers; and

(4) the progress of Federal agencies in addressing the areas identified through the review conducted under subsection (a).

SA 2439. Mr. KING (for himself and Mr. SASSE) 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. _____. BIENNIAL NATIONAL CYBER TABLETOP EXERCISE.

(a) REQUIREMENT.—On a date during calendar year 2023, and biennially thereafter until January 1, 2030, the Secretary, in consultation with the President, the Director of National Intelligence, the Attorney General, and the Secretary of Defense, shall conduct a tabletop exercise to test the resilience, response, and recovery of the United States in the case of a significant cyber incident impacting critical infrastructure.

(b) PLANNING AND PREPARATION.—The tabletop exercise required under subsection (a) shall be prepared by—

(1) appropriate personnel from—

(A) the Department of Homeland Security;

(B) the Department of Defense; and

(C) the Department of Justice; and

(2) appropriate elements of the intelligence community, identified by the Director of National Intelligence.

(c) PARTICIPANTS.—

(1) FEDERAL GOVERNMENT PARTICIPANTS.—The following personnel shall participate in the tabletop exercise required under subsection (a):

(A) Personnel from the Department of Homeland Security.

(B) Appropriate personnel from the Department of Defense, as identified by the Secretary of Defense.

(C) Appropriate personnel from elements of the intelligence community, as identified by the Director of National Intelligence.

(D) Appropriate personnel from the Department of Defense, as identified by the Attorney General.

(E) Appropriate representatives from sector-specific agencies, as determined by the Secretary.

(2) STATE AND LOCAL GOVERNMENTS.—The Secretary shall invite representatives from State, local, and Tribal governments to participate in the tabletop exercise required under subsection (a) if the Secretary determines the participation of those representatives to be appropriate.

(3) PRIVATE SECTOR.—Depending on the nature of a tabletop exercise being conducted under subsection (a), the Secretary, in consultation with the senior representative of the sector-specific agencies participating in the tabletop exercise under paragraph (1)(E), shall invite the following individuals to participate:

(A) Representatives from appropriate private sector entities.

(B) Other individuals that the Secretary determines will best assist the United States in preparing for, and defending against, a cyber attack.

(4) INTERNATIONAL PARTNERS.—Depending on the nature of the tabletop exercise being conducted under subsection (a), the Secretary may invite allies and partners of the United States to participate in the tabletop exercise.

(d) OBSERVERS.—The Secretary may invite representatives from the executive and legislative branches of the Federal Government to observe the tabletop exercise required under subsection (a).

(e) ELEMENTS.—The tabletop exercise required under subsection (a) shall include the following elements:

(1) Exercising the orchestration of cybersecurity response and the provision of cyber support to Federal, State, local, and Tribal governments and private sector entities, including the exercise of the command, control, and deconfliction of—

(A) operational responses through interagency coordination processes and response groups; and

(B) each Federal agency participating in the tabletop exercise under subsection (c)(1).

(2) Testing of the information sharing needs and capabilities of tabletop exercise participants.

(3) Testing of the relevant policy, guidance, and doctrine, including the National

Cyber Incident Response Plan of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(4) Testing of the integration and interoperability between the Federal agencies participating in the tabletop exercise under subsection (c)(1).

(5) Exercising the integration and interoperability of the cybersecurity operation centers of the Federal Government, as appropriate, in coordination with appropriate cabinet level officials.

(f) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date on which each tabletop exercise required under subsection (a) is conducted, the Secretary shall provide to the appropriate congressional committees a briefing on the tabletop exercise.

(2) CONTENTS.—The briefing required under paragraph (1) shall include—

(A) an assessment of the decision and response gaps observed in the tabletop exercise described in paragraph (1);

(B) proposed recommendations to improve the resilience, response, and recovery of the United States in the case of a significant cyber attack against critical infrastructure; and

(C) appropriate plans to address the recommendations proposed under subparagraph (B).

(g) REPEAL.—Subsection (b) of section 1648 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1119) is repealed.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Select Committee on Intelligence of the Senate;

(F) the Permanent Select Committee on Intelligence of the House of Representatives;

(G) the Committee on the Judiciary of the Senate;

(H) the Committee on the Judiciary of the House of Representatives;

(I) the Committee on Commerce, Science, and Transportation of the Senate;

(J) the Committee on Science, Space, and Technology of the House of Representatives;

(K) the Committee on Foreign Relations of the Senate; and

(L) the Committee on Foreign Affairs of the House of Representatives.

(2) ELEMENT OF THE INTELLIGENCE COMMUNITY.—The term ''element of the intelligence community'' means an element specified or designated under section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(3) PRIVATE ENTITY.—The term ''private entity'' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(5) SECTOR-SPECIFIC AGENCY.—The term ''sector-specific agency'' has the meaning given the term ''Sector-Specific Agency'' in section 2201 of the Homeland Security Act of 2002 (6 U.S.C. 651).

(6) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

SA 2440. Mr. KING (for himself, Mr. ALEXANDER, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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_____. GOLD STAR FAMILIES PARKS PASS.

(a) IN GENERAL.—Section 805(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(b)) is amended by adding at the end the following:

''(3) GOLD STAR FAMILIES PARKS PASS.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, at no cost, to members of Gold Star Families who meet the eligibility requirements of section 3.2 of Department of Defense Instruction 1348.36 (or a successor instruction).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 805 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804) is amended—

(1) in subsection (a)(7), in the first sentence, by striking ''age and disability''; and

(2) in subsection (b)—

(A) in paragraph (1)(A), in the second sentence, in the matter preceding clause (i), by striking ''this subsection'' and inserting ''this paragraph''; and

(B) in paragraph (2), in the second sentence, by striking ''this subsection'' and inserting ''this paragraph''.

SA 2441. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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, insert the following:

SEC. 593. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE HANDLING BY THE ARMED FORCES OF CASES OF DESERTION AND ABSENCE WITHOUT LEAVE.

(a) REPORT.—Not later than December 16, 2021, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of a study on the manner in which the Armed Forces handle cases among members of the Armed Forces as follows:

(1) Cases of desertion.

(2) Cases of absence without leave or unauthorized absence.

(b) ELEMENTS.—The study required for purposes of the report under this section shall include the following:

(1) The procedures and guidelines established by each Armed Force for the investigation of cases specified in subsection (a).

(2) The procedures guidelines of the Armed Forces for distinguishing cases of members absent without leave from cases of members who are involuntarily absent.

(3) The current procedures and guidelines for cooperation and coordination in investigations of cases specified in subsection (a) betweem criminal investigative organizations or other military investigative agencies and—

(A) State and local law enforcement agencies; and

(B) Federal law enforcement agencies.

(4) The current procedures and guidelines of the Armed Forces for use of media and social media in conjunction with investigations of cases specified in subsection (a).

(5) Military resources available for investigations of cases specified in subsection (a), and any apparent shortfalls in such resources.

(6) The manner in which the procedures and guidelines for investigations of cases specified in subsection (a) vary between the Armed Forces.

(7) The manner in which the procedures and guidelines described in paragraph (6) vary from procedures and guidelines used by select Federal, State, and law enforcement agencies in investigation of cases specified in subsection (a).

(8) Any recognized best practices for responding to and investigating cases specified in subsection (a).

(9) Any other matters the Comptroller General consider appropriate.

SA 2442. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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:

Add at the end of subtitle G of title XII the following:

SEC. 1287. UNITED STATES AGENCY FOR GLOBAL MEDIA.

(a) SHORT TITLE.—This section may be cited as the ''U.S. Agency for Global Media Reform Act''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Office of Cuba Broadcasting should—

(1) remain an independent entity of the United States Agency for Global Media; and

(2) continue taking steps to ensure that the Office is fulfilling its core mission of promoting freedom and democracy by providing the people of Cuba with objective news and information programming.

(c) AUTHORITIES OF THE CHIEF EXECUTIVE OFFICER; LIMITATION ON CORPORATE LEADERSHIP OF GRANTEES.—Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended—

(1) in subsection (a)—

(A) in paragraph (20), by inserting ''in accordance with subsection (c)'' before the period at the end;

(B) in paragraph (21)—

(i) by striking ''including with Federal officials,''; and

(ii) by inserting ''in accordance with subsection (c)'' before the period at the end; and

(C) by adding at the end the following new paragraph:

''(23) 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, the head and Board of the respective service, and the Chief Executive Officer; and

''(B) submit to the appropriate congressional committees a list of anomalous reports, 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 adding at the end the following new subsection:

''(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 grantee authorized under this title (collectively referred to as 'Agency Grantee Networks') unless the incorporation documents of any such grantee require that the corporate leadership and Board of Directors of such grantee be selected in accordance with this Act.

''(2) CONFLICTS OF INTEREST.—

''(A) CHIEF EXECUTIVE OFFICER.—The Chief Executive Officer may not serve on any of the corporate boards of any grantee under subsection (a).

''(B) FEDERAL EMPLOYEES.—A full-time employee of a Federal agency may not serve on a corporate board of any grantee under subsection (a).

''(3) QUALIFICATIONS OF GRANTEE BOARD MEMBERS.—Individuals appointed under subsection (a) to the Board of Directors of any of the Agency Grantee Networks shall have requisite expertise in journalism, technology, broadcasting, or diplomacy, or appropriate language or cultural understanding relevant to the grantee's mission.''.

(d) INTERNATIONAL BROADCASTING ADVISORY BOARD.—Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

(1) by striking subsections (a) through (c) and inserting the following:

''(a) IN GENERAL.—The International Broadcasting Advisory Board (referred to in this section as the 'Advisory Board') shall advise the Chief Executive Officer of the United States Agency for Global Media, as appropriate. The Advisory Board as established shall exist within the Executive branch of Government as an entity described in section 104 of title 5.

''(b) COMPOSITION OF THE ADVISORY BOARD.—

''(1) IN GENERAL.—The Advisory Board shall consist of 7 members, of whom—

''(A) 6 shall be appointed 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) CHAIR.—The President shall designate, with the advice and consent of the Senate, 1 of the members appointed under paragraph (1)(A) as Chair 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 for a single term of 4 years, except that, of the first group of members appointed under paragraph (1)(A)—

''(i) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 2 years after the date of the enactment of the U.S. Agency for Global Media Reform Act;

''(ii) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 4 years after the date of the enactment of the U.S. Agency for Global Media Reform Act; and

''(iii) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 6 years after the date of the enactment of the U.S. Agency for Global Media Reform Act.

''(B) SECRETARY OF STATE.—The Secretary of State shall serve as a member of the Advisory Board for the duration of his or her tenure as Secretary of State.

''(5) VACANCIES.—

''(A) IN GENERAL.—The President shall appoint, with the advice and consent of the Senate, additional members to fill vacancies on the Advisory Board occurring before the expiration of a term.

''(B) TERM.—Any members appointed pursuant to subparagraph (A) shall serve for the remainder of such term.

''(C) SERVICE BEYOND TERM.—Any member whose term has expired shall continue to serve as a member of the Advisory Board until a qualified successor has been appointed and confirmed by the Senate.

''(D) SECRETARY OF STATE.—When there is a vacancy in the office of Secretary of State, the Acting Secretary of State shall serve as a member of the Advisory Board until a new Secretary of State is appointed.'';

(2) by redesignating subsection (d) as subsection (c);

(3) by amending subsection (c), as redesignated—

(A) in the subsection heading, by inserting ''ADVISORY'' before ''BOARD''; and

(B) in paragraph (2), by inserting ''who are'' before ''distinguished''; and

(4) by striking subsections (e) and (f) and inserting the following new subsections:

''(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 4 times annually, including twice in person as practicable, 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—

''(A) the Chief Executive Officer fully respects the professional integrity and editorial independence of United States Agency for Global Media broadcasters, networks, and grantees; and

''(B) agency networks, broadcasters, and grantees adhere to the highest professional standards and ethics of journalism, including taking necessary actions to uphold professional standards to produce consistently reliable and authoritative, accurate, objective, and comprehensive news and information; and

''(7) provide other strategic input to the Chief Executive Officer.

''(e) APPOINTMENT OF HEADS OF NETWORKS.—

''(1) IN GENERAL.—The heads of Voice of America, the Office of Cuba Broadcasting, RFE/RL, Inc., Radio Free Asia, the Middle East Broadcasting Networks, the Open Technology Fund, or of any other grantee authorized under this title may only be appointed or removed if such action has been approved by a majority vote of the Advisory Board.

''(2) REMOVAL.—After consulting with the Chief Executive Officer, 5 or more members of the Advisory Board may unilaterally remove any such head of network or grantee network described in paragraph (1).

''(3) QUORUM.—

''(A) IN GENERAL.—A quorum shall consist of 4 members of the Advisory Board (excluding the Secretary of State).

''(B) DECISIONS.—Except as provided in paragraph (2), decisions of the Advisory Board shall be made by majority vote, a quorum being present.

''(C) CLOSED SESSIONS.—The Advisory Board may meet in closed sessions in accordance with section 552b of title 5, United States Code.

''(f) COMPENSATION.—

''(1) IN GENERAL.—Members of the Advisory Board, while attending meetings of the Advisory Board or while engaged in duties relating to such meetings or in other activities of the Advisory Board under this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(2) TRAVEL EXPENSES.—While away from their 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 is not entitled to any compensation under this title, but may be allowed travel expenses in accordance with paragraph (2).

''(g) SUPPORT STAFF.—The Chief Executive Officer shall, from within existing United States Agency for Global Media personnel, provide the Advisory Board with an Executive Secretary and such administrative staff and support as may be necessary to enable the Advisory Board to carry out subsections (d) and (e).''.

(e) CONFORMING AMENDMENTS.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended—

(1) in section 304—

(A) in the section heading, by striking ''**BROADCASTING BOARD OF GOVERNORS**'' and inserting ''**UNITED STATES AGENCY FOR GLOBAL MEDIA**'';

(B) in 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'';

(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)(5), by striking ''Board'' and inserting ''Agency''; and

(F) in subsection (i), in the first sentence, by striking ''Board'' and inserting ''Agency'';

(4) in section 309—

(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 310(d), by striking ''Board'' and inserting ''Agency'';

(6) in section 310A(a), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media'';

(7) in section 310B, by striking ''Board'' and inserting ''Agency'';

(8) by striking section 312;

(9) in section 313(a), in the matter preceding paragraph (1), by striking ''Board'' and inserting ''Agency'';

(10) in section 314—

(A) by striking ''(4) the terms 'Board and Chief Executive Officer of the Board' means the 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

(B) in paragraph (3)—

(i) by striking ''includes—'' and inserting ''means the corporation having the corporate title described in section 308''; and

(ii) by striking subparagraphs (A) and (B); and

(11) in section 316—

(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''.

(f) RULEMAKING.—Notwithstanding any other provision of law, the United States Agency for Global Media may not revise part 531 of title 22, Code of Federal Regulations, which took effect on June 11, 2020, without explicit authorization by an Act of Congress.

(g) SAVINGS PROVISIONS.—Section 310 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6209) is amended by adding at the end the following new subsections:

''(f) MAINTENANCE OF PROPRIETARY INFORMATION.—No consolidation of grantees authorized under subsection (a) involving any grantee shall result in any legal transfer of ownership of any proprietary information or intellectual property to the United State Agency for Global Media or any other Federal entity.

''(g) RULE OF CONSTRUCTION.—No consolidation of grantees authorized under subsection (a) shall result in the consolidation of the Open Technology Fund or any successor entity with any other grantee.''.

(h) RULE OF CONSTRUCTION.—Nothing in the United States International Broadcasting Act of 1994 or any other provision of law may be construed to make the Open Technology Fund an entity authorized under such Act until the effective date of legislation authorizing the establishment of the Open Technology Fund.

SA 2443. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 VI, insert the following:

SEC. 633. USE OF FINANCIAL SERVICES PROVIDERS IN PROVISION OF EDUCATION ON FINANCIAL SERVICES ON MILITARY INSTALLATIONS LOCATED OUTSIDE THE UNITED STATES.

(a) USE AUTHORIZED.—Under regulations prescribed by the Secretary of Defense, in the provision of orientations or briefings on financial services to members of the Armed Forces who are newly assigned to a military installation outside the United States (whether for purposes of financial literacy training under section 992 of title 10, United States Code, or any other purpose), the commander of such installation may use such representatives of such financial services providers as such regulations may authorize, including by permitting such representatives access to such members on such installation, to provide informational materials, for such purposes.

(b) REGISTRATION WITH FINCEN.—A financial services provider may not provide orientations or briefings pursuant to subsection (a) unless such provider is registered with the Financial Crimes Enforcement Network (FinCEN) of the Department of the Treasury.

(c) FINANCIAL SERVICES DEFINED.—In this section, the term ''financial services'' has the meaning given that term in section 992(e) of title 10, United States Code, and includes electronic banking, funds transfers, money orders, loan services, and utility payments.

SA 2444. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. MODIFICATION OF ANNUAL REPORTING REQUIREMENTS CONCERNING DIPLOMATIC IMMUNITY.

(a) FINDINGS.—Congress makes the following findings:

(1) According to the January 2019 Worldwide Threat Assessment of the United States Intelligence Community, ''Russia and China will continue to be the leading state intelligence threats to U.S. interests, based on their services' capabilities, intent, and broad operational scopes.''.

(2) It is necessary to reaffirm for the executive branch the sense of Congress set forth in section 601 of the Intelligence Authorization Act for Fiscal Year 1985 (22 U.S.C. 254c–1): ''It is the sense of the Congress that the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States should not exceed the respective numbers, status, privileges and immunities, travel accommodations, and facilities within such country of official representatives of the United States to such country.''.

(b) ADDITIONAL REPORTING REQUIREMENTS.—Section 204B of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4304b) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''the Congress'' and inserting ''the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives'';

(B) in paragraph (2)—

(i) in subparagraph (F), by striking ''subsection (c)'' and inserting ''subsection (d)''; and

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

''(G) The number and names of foreign diplomats with expired diplomatic visas who continue to receive diplomatic accreditation.

''(H) The foreign country represented by each diplomat identified under subparagraph (G).'';

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

''(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, except that the information described in subparagraphs (G) and (H) of paragraph (2) may be included in a classified annex.'';

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

(3) by inserting after subsection (a) the following new subsection (b):

''(b) CERTIFICATION.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), together with each annual report under subsection (a), the Secretary of State, in coordination with the Director of National Intelligence, shall submit to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives a certification that the individuals identified under paragraph (2)(G) of that subsection are not engaging in intelligence activities in the United States harmful to the national security of the United States.

''(2) INABILITY TO CERTIFY.—If the Secretary of State assesses that he or she is unable under paragraph (1) to certify that the individuals identified under subsection (a)(2)(G) are not engaging in intelligence activities in the United States harmful to the national security of the United States, the Secretary shall submit to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives a report detailing such assessment.

''(3) CONTINUED DIPLOMATIC ACCREDITATION IN NATIONAL SECURITY INTEREST.—If the Secretary of State assesses that continued diplomatic accreditation of an individual identified under subsection (a)(2)(G) is in the national security interests of the United States and the Secretary is therefore unwilling to submit a certification under paragraph (1), the Secretary shall submit to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives a report detailing such assessment.''.

SA 2445. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. _____. PERMANENT REAUTHORIZATION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PRESCRIBE REGULATIONS PROVIDING THAT A PRESUMPTION OF SERVICE CONNECTION IS WARRANTED FOR A DISEASE ASSOCIATED WITH EXPOSURE TO A HERBICIDE AGENT.

(a) IN GENERAL.—Section 1116 of title 38, United States Code, is amended by striking subsection (e).

(b) EFFECTIVE DATE.—Subsection (a) of this section and subsections (b) through (d) of section 1116 of such title shall take effect on the date of the enactment of this Act.

SA 2446. Mr. MORAN (for himself, Ms. CANTWELL, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 division A, add the following:

TITLE XVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS

SEC. 1701. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

Subtitle A—General Provisions

SEC. 1711. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

''SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

''(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

''(1) Vice admiral.

''(2) Rear admiral.

''(3) Rear admiral (lower half).

''(4) Captain.

''(5) Commander.

''(6) Lieutenant commander.

''(7) Lieutenant.

''(8) Lieutenant (junior grade).

''(9) Ensign.

''(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

''(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

''(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

''(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

''(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is one-half, the next higher whole number shall be taken.

''(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

''(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

''(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.''.

SEC. 1712. RECALLED OFFICERS.

(a) IN GENERAL.—Section 215 (33 U.S.C. 3005) is amended to read as follows:

''SEC. 215. NUMBER OF AUTHORIZED COMMISSIONED OFFICERS.

''(a) IN GENERAL.—The total number of authorized commissioned officers on the lineal list of the commissioned officer corps of the Administration shall not exceed 500.

''(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status or detailed to an agency other than the Administration—

''(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

''(2) may not count against such number.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 215 and inserting the following:

''Sec. 215. Number of authorized commissioned officers.''.

SEC. 1713. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 216. OBLIGATED SERVICE REQUIREMENT.

''(a) IN GENERAL.—

''(1) REGULATIONS.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirements of officers not otherwise covered by law.

''(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers' obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, continuations, and retirements as the Secretary considers appropriate.

''(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

''(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) is, for all purposes, a debt owed to the United States.

''(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

''(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

''(2) is—

''(A) not physically qualified for appointment; and

''(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer's own misconduct or grossly negligent conduct.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Obligated service requirement.''.

SEC. 1714. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1713(a), is further amended by adding at the end the following:

''SEC. 217. TRAINING AND PHYSICAL FITNESS.

''(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

''(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, mid-career training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

''(2) Providing officers and officer candidates with educational materials.

''(3) Acquiring such equipment as may be necessary for training and instructional purposes.

''(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high

physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1713(b), is further amended by inserting after the item relating to section 216 the following:

''Sec. 217. Training and physical fitness.''.

SEC. 1715. AVIATION ACCESSION TRAINING PROGRAMS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1714(a), is further amended by adding at the end the following:

''SEC. 218. AVIATION ACCESSION TRAINING PROGRAMS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

''(2) MEMBER OF THE PROGRAM.—The term 'member of the program' means a student who is enrolled in the program.

''(3) PROGRAM.—The term 'program' means an aviation accession training program of the commissioned officer corps of the Administration established pursuant to subsection (b).

''(b) AVIATION ACCESSION TRAINING PROGRAMS.—

''(1) ESTABLISHMENT AUTHORIZED.—The Administrator, under regulations prescribed by the Secretary, shall establish and maintain one or more aviation accession training programs for the commissioned officer corps of the Administration at institutions described in paragraph (2).

''(2) INSTITUTIONS DESCRIBED.—An institution described in this paragraph is an educational institution—

''(A) that requests to enter into an agreement with the Administrator providing for the establishment of the program at the institution;

''(B) that has, as a part of its curriculum, a four-year baccalaureate program of professional flight and piloting instruction that is accredited by the Aviation Accreditation Board International;

''(C) that is located in a geographic area that—

''(i) experiences a wide variation in climate-related activity, including frequent high winds, convective activity (including tornadoes), periods of low visibility, heat, and snow and ice episodes, to provide opportunities for pilots to demonstrate skill in all weather conditions compatible with future encounters during their service in the commissioned officer corps; and

''(ii) has a climate that can accommodate both primary and advanced flight training activity at least 75 percent of the year; and

''(D) at which the Administrator determines that—

''(i) there will be at least one student enrolled in the program; and

''(ii) the provisions of this section are otherwise satisfied.

''(3) LIMITATIONS IN CONNECTION WITH PARTICULAR INSTITUTIONS.—The program may not be established or maintained at an institution unless—

''(A) the senior commissioned officer or employee of the commissioned officer corps who is assigned as an advisor to the program at that institution is given the academic rank of adjunct professor; and

''(B) the institution fulfills the terms of its agreement with the Administrator.

''(4) MEMBERSHIP IN CONNECTION WITH STATUS AS STUDENT.—At institutions at which the program is established, the membership of students in the program shall be elective, as provided by State law or the authorities of the institution concerned.

''(c) MEMBERSHIP.—

''(1) ELIGIBILITY.—To be eligible for membership in the program, an individual must—

''(A) be a student at an institution at which the program is established;

''(B) be a citizen of the United States;

''(C) contract in writing, with the consent of a parent or guardian if a minor, with the Administrator, to—

''(i) accept an appointment, if offered, as a commissioned officer in the commissioned officer corps of the Administration; and

''(ii) serve in the commissioned officer corps for not fewer than four years;

''(D) enroll in—

''(i) a four-year baccalaureate program of professional flight and piloting instruction; and

''(ii) other training or education, including basic officer training, which is prescribed by the Administrator as meeting the preliminary requirement for admission to the commissioned officer corps; and

''(E) execute a certificate or take an oath relating to morality and conduct in such form as the Administrator prescribes.

''(2) COMPLETION OF PROGRAM.—A member of the program may be appointed as a regular officer in the commissioned officer corps if the member meets all requirements for appointment as such an officer.

''(d) FINANCIAL ASSISTANCE FOR QUALIFIED MEMBERS.—

''(1) EXPENSES OF COURSE OF INSTRUCTION.—

''(A) IN GENERAL.—In the case of a member of the program who meets such qualifications as the Administrator establishes for purposes of this subsection, the Administrator may pay the expenses of the member in connection with pursuit of a course of professional flight and piloting instruction under the program, including tuition, fees, educational materials such as books, training, certifications, travel, and laboratory expenses.

''(B) ASSISTANCE AFTER FOURTH ACADEMIC YEAR.—In the case of a member of the program described in subparagraph (A) who is enrolled in a course described in that subparagraph that has been approved by the Administrator and requires more than four academic years for completion, including elective requirements of the program, assistance under this subsection may also be provided during a fifth academic year or during a combination of a part of a fifth academic year and summer sessions.

''(2) ROOM AND BOARD.—In the case of a member eligible to receive assistance under paragraph (1), the Administrator may, in lieu of payment of all or part of such assistance, pay the room and board expenses of the member, and other educational expenses, of the educational institution concerned.

''(3) FAILURE TO COMPLETE PROGRAM OR ACCEPT COMMISSION.—A member of the program who receives assistance under this subsection and who does not complete the course of instruction, or who completes the course but declines to accept a commission in the commissioned officer corps when offered, shall be subject to the repayment provisions of subsection (e).

''(e) REPAYMENT OF UNEARNED PORTION OF FINANCIAL ASSISTANCE WHEN CONDITIONS OF PAYMENT NOT MET.—

''(1) IN GENERAL.—A member of the program who receives or benefits from assistance under subsection (d), and whose receipt of or benefit from such assistance is subject to the condition that the member fully satisfy the requirements of subsection (c), shall repay to the United States an amount equal to the assistance received or benefitted from if the member fails to fully satisfy such requirements and may not receive or benefit from any unpaid amounts of such assistance after the member fails to satisfy such requirements, unless the Administrator determines that the imposition of the repayment requirement and the termination of payment of unpaid amounts of such assistance with regard to the member would be—

''(A) contrary to a personnel policy or management objective;

''(B) against equity and good conscience; or

''(C) contrary to the best interests of the United States.

''(2) REGULATIONS.—The Administrator may establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to repayment may be granted. The Administrator may specify in the regulations the conditions under which financial assistance to be paid to a member of the program will not be made if the member no longer satisfies the requirements in subsection (c) or qualifications in subsection (d) for such assistance.

''(3) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the United States under this subsection is, for all purposes, a debt owed to the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1714(b), is further amended by inserting after the item relating to section 217 the following:

''Sec. 218. Aviation accession training programs.''.

SEC. 1716. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1715(a), is further amended by adding at the end the following:

''SEC. 219. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

''The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1715(b), is further amended by inserting after the item relating to section 218 the following:

''Sec. 219. Use of recruiting materials for public relations.''.

SEC. 1717. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting ''in the commissioned officer corps'' before ''of the National''.

Subtitle B—Parity and Recruitment

SEC. 1721. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

''(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

''(1) was used by the person to finance education; and

''(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

''(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

''(1) satisfy one of the requirements specified in subsection (c);

''(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

''(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

''(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

''(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

''(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

''(d) LOAN REPAYMENTS.—

''(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

''(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

''(e) ACTIVE DUTY SERVICE OBLIGATION.—

''(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

''(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

''(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than one year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

''(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

''(4) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.

''(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

''(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

''(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

''(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

''(1) standards for qualified loans and authorized payees; and

''(2) other terms and conditions for the making of loan repayments.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 266 the following:

''Sec. 267. Education loan repayment program.''.

SEC. 1722. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1721(a), is further amended by adding at the end the following:

''SEC. 268. INTEREST PAYMENT PROGRAM.

''(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on one or more student loans of an eligible officer, in accordance with this section.

''(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

''(1) is serving on active duty;

''(2) has not completed more than three years of service on active duty;

''(3) is the debtor on one or more unpaid loans described in subsection (c); and

''(4) is not in default on any such loan.

''(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

''(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

''(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

''(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

''(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

''(e) COORDINATION WITH SECRETARY OF EDUCATION.—

''(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

''(2) REIMBURSEMENT AUTHORIZED.—The Secretary is authorized to reimburse the Secretary of Education—

''(A) for the funds necessary to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

''(B) for any reasonable administrative costs incurred by the Secretary of Education in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

''(f) SPECIAL ALLOWANCE DEFINED.—In this section, the term 'special allowance' means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively,'' after ''Armed Forces''.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively'' after ''Armed Forces''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1721(b), is further amended by inserting after the item relating to section 267 the following:

''Sec. 268. Interest payment program.''.

SEC. 1723. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1722(a), is further amended by adding at the end the following:

''SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

''(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

''(1) a baccalaureate degree in not more than five academic years; or

''(2) a postbaccalaureate degree.

''(b) ELIGIBLE PERSONS.—

''(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

''(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

''(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

''(C) enters into a written agreement with the Secretary described in paragraph (2).

''(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person—

''(A) agrees to accept an appointment as an officer, if tendered; and

''(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

''(i) up to three years if the person received less than three years of assistance; and

''(ii) up to five years if the person received at least three years of assistance.

''(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

''(1) Tuition and fees charged by the educational institution involved.

''(2) The cost of educational materials.

''(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

''(4) Such other expenses as the Secretary considers appropriate.

''(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

''(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than five consecutive academic years.

''(f) SUBSISTENCE ALLOWANCE.—

''(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

''(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

''(g) INITIAL CLOTHING ALLOWANCE.—

''(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

''(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

''(h) TERMINATION OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

''(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

''(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

''(C) the person fails to fulfill any term or condition of the agreement.

''(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

''(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

''(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

''(B) is—

''(i) not physically qualified for appointment; and

''(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

''(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

''(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

''(i) REGULATIONS.—The Secretary may prescribe such regulations and orders as the Secretary considers appropriate to carry out this section.

''(j) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1722(c), is further amended by inserting after the item relating to section 268 the following:

''Sec. 269. Student pre-commissioning education assistance program.''.

SEC. 1724. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with the fiscal year in which this title is enacted, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 1721(a)), section 268 of such Act (as added by section 1722(a)), and section 269 of such Act (as added by section 1723(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 1735(d)), if such section entitled officer candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O–1 with less than 2 years of service, exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term ''officer candidate'' has the meaning given the term in paragraph (4) of section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 1735(c).

SEC. 1725. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (22) through (25), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (14) through (19), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

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

''(4) Section 771, relating to unauthorized wearing of uniforms.

''(5) Section 774, relating to wearing religious apparel while in uniform.

''(6) Section 982, relating to service on State and local juries.

''(7) Section 1031, relating to administration of oaths.'';

(5) by inserting after paragraph (10), as redesignated, the following:

''(11) Section 1074n, relating to annual mental health assessments.

''(12) Section 1090a, relating to referrals for mental health evaluations.

''(13) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.''; and

(6) by inserting after paragraph (19), as redesignated, the following:

''(20) Subchapter I of chapter 88, relating to Military Family Programs, applicable on an as-available and fully reimbursable basis.

''(21) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.''.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) in subsection (b)(4), by striking ''armed forces'' both places it appears and inserting ''uniformed services''.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), in the matter before subparagraph (A), by striking ''armed forces'' and inserting ''uniformed services''; and

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

''(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA CORPS AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term 'Secretary concerned' in subsection (a) shall include the Secretary of Commerce with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration.''.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''or the commissioned officer corps of the National Oceanic and Atmospheric Administration'' after ''in the case of the Navy''; and

(ii) by striking ''other armed forces'' and inserting ''other uniformed services''; and

(B) in subsection (b)(1), in the matter before subparagraph (A), by inserting ''or the Secretary of Commerce, as applicable,'' after ''the Secretary of Defense''.

SEC. 1726. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

''SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

''The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

''(1) Section 403(l), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

''(2) Section 415, relating to initial uniform allowances.

''(3) Section 488, relating to allowances for recruiting expenses.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An

Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

''Sec. 261A. Applicability of certain provisions of title 37, United States Code.''.

SEC. 1727. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 1725(a), is further amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

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

''(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: ''For purposes of paragraph (8) of subsection (a), the term 'Inspector General' in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

''(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may prescribe regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by prescribing such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.''.

SEC. 1728. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting ''the commissioned officer corps of the National Oceanic and Atmospheric Administration,'' after ''Public Health Service,''.

SEC. 1729. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this title, is further amended by adding at the end the following:

''SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

''(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least three years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

''(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

''(c) COMPETITIVE SERVICE DEFINED.—In this section, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by section 1723(b), the following new item:

''Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.''.

Subtitle C—Appointments and Promotion of Officers

SEC. 1731. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

''SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

''(a) ORIGINAL APPOINTMENTS.—

''(1) GRADES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

''(i) the qualification, experience, and length of service of the appointee; and

''(ii) the commissioned officer corps of the Administration.

''(B) APPOINTMENT OF OFFICER CANDIDATES.—

''(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

''(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from the basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

''(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

''(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

''(B) Subject to the approval of the Secretary of Defense, graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(C) Graduates of the State maritime academies who—

''(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

''(ii) completed at least three years of regimented training while at a State maritime academy; and

''(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

''(D) Licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term 'military service academies of the United States' means the following:

''(i) The United States Military Academy, West Point, New York.

''(ii) The United States Naval Academy, Annapolis, Maryland.

''(iii) The United States Air Force Academy, Colorado Springs, Colorado.

''(iv) The United States Coast Guard Academy, New London, Connecticut.

''(v) The United States Merchant Marine Academy, Kings Point, New York.

''(B) STATE MARITIME ACADEMY.—The term 'State maritime academy' has the meaning given the term in section 51102 of title 46, United States Code.

''(b) REAPPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

''(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

''(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

''(d) ORDER OF PRECEDENCE.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. The order of precedence of appointees whose dates of commission are the same shall be determined by the Secretary.

''(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

''(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

''(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

''(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 221 and inserting the following:

''Sec. 221. Original appointments and reappointments.''.

SEC. 1732. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

''SEC. 222. PERSONNEL BOARDS.

''(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—A board convened under subsection (a) shall consist of five or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

''(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

''(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of two successive personnel boards convened to consider officers of the same grade for promotion or separation.

''(c) DUTIES.—Each personnel board shall—

''(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

''(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer

corps of the Administration as prescribed in this title.

''(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.

''(e) AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION CONSIDERATION.—

''(1) IN GENERAL.—The Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps may provide that an officer, upon the officer's request and with the approval of the Director, be excluded from consideration for promotion by a personnel board convened under this section.

''(2) APPROVAL.—The Director shall approve a request made by an officer under paragraph (1) only if—

''(A) the basis for the request is to allow the officer to complete a broadening assignment, advanced education, another assignment of significant value to the Administration, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Director;

''(B) the Director determines the exclusion from consideration is in the best interest of the Administration; and

''(C) the officer has not previously failed selection for promotion to the grade for which the officer requests the exclusion from consideration.''.

SEC. 1733. POSITIONS OF IMPORTANCE AND RESPONSIBILITY.

Section 228 (33 U.S.C. 3028) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking ''The Secretary shall designate one position under this section'' and inserting ''The President shall designate one position''; and

(B) in the second sentence, by striking ''That position shall be filled by'' and inserting ''The President shall fill that position by appointing, by and with the advice and consent of the Senate,'';

(2) in subsection (d)(2), by inserting ''or immediately beginning a period of terminal leave'' after ''for which a higher grade is designated'';

(3) by amending subsection (e) to read as follows:

''(e) LIMIT ON NUMBER OF OFFICERS APPOINTED.—The total number of officers serving on active duty at any one time in the grade of rear admiral (lower half) or above may not exceed five, with only one serving in the grade of vice admiral.''; and

(4) in subsection (f), by inserting ''or in a period of annual leave used at the end of the appointment'' after ''serving in that grade''.

SEC. 1734. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

''SEC. 229. TEMPORARY APPOINTMENTS.

''(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

''(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

''(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

''(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 229 and inserting the following:

''Sec. 229. Temporary appointments.''.

SEC. 1735. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

''SEC. 234. OFFICER CANDIDATES.

''(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

''(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations, which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the basic officer training program of the Administration, and all other matters affecting such appointment.

''(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(d) AGREEMENT.—

''(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

''(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

''(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

''(B) That upon graduation from such program, the officer candidate—

''(i) will accept an appointment, if tendered, as an officer; and

''(ii) will serve on active duty for at least four years immediately after such appointment.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) standards for determining what constitutes a breach of an agreement signed under subsection (d)(1); and

''(2) procedures for determining whether such a breach has occurred.

''(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under subsection (d) shall be subject to the repayment provisions of section 216(b).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

''Sec. 234. Officer candidates.''.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

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

''(4) OFFICER CANDIDATE.—The term 'officer candidate' means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).''.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

''(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rates equal to the basic pay of an enlisted member in the pay grade E–5 with less than two years of service.

''(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.''.

SEC. 1736. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1735(a), is further amended by adding at the end the following:

''SEC. 235. PROCUREMENT OF PERSONNEL.

''The Secretary may take such measures as the Secretary determines necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1735(b), is further amended by inserting after the item relating to section 234 the following:

''235. Procurement of personnel.''.

SEC. 1737. CAREER INTERMISSION PROGRAM.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1736(a), is further amended by adding at the end the following:

''SEC. 236. CAREER FLEXIBILITY TO ENHANCE RETENTION OF OFFICERS.

''(a) PROGRAMS AUTHORIZED.—The Secretary may carry out a program under which officers may be inactivated from active duty in order to meet personal or professional needs and returned to active duty at the end of such period of inactivation from active duty.

''(b) PERIOD OF INACTIVATION FROM ACTIVE DUTY; EFFECT OF INACTIVATION.—

''(1) IN GENERAL.—The period of inactivation from active duty under a program under this section of an officer participating in the program shall be such period as the Secretary shall specify in the agreement of the officer under subsection (c), except that such period may not exceed three years.

''(2) EXCLUSION FROM RETIREMENT.—Any period of participation of an officer in a program under this section shall not count toward eligibility for retirement or computation of retired pay under subtitle C.

''(c) AGREEMENT.—Each officer who participates in a program under this section shall enter into a written agreement with the Secretary under which that officer shall agree as follows:

''(1) To undergo during the period of the inactivation of the officer from active duty

under the program such inactive duty training as the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps shall require in order to ensure that the officer retains proficiency, at a level determined by the Director to be sufficient, in the technical skills, professional qualifications, and physical readiness of the officer during the inactivation of the officer from active duty.

''(2) Following completion of the period of the inactivation of the officer from active duty under the program, to serve two months on active duty for each month of the period of the inactivation of the officer from active duty under the program.

''(d) CONDITIONS OF RELEASE.—The Secretary shall—

''(1) prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c); and

''(2) at a minimum, prescribe the procedures and standards to be used to instruct an officer on the obligations to be assumed by the officer under paragraph (1) of such subsection while the officer is released from active duty.

''(e) ORDER TO ACTIVE DUTY.—Under regulations prescribed by the Secretary, an officer participating in a program under this section may, in the discretion of the Secretary, be required to terminate participation in the program and be ordered to active duty.

''(f) PAY AND ALLOWANCES.—

''(1) BASIC PAY.—During each month of participation in a program under this section, an officer who participates in the program shall be paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the officer would otherwise be entitled under section 204 of title 37, United States Code, as a member of the uniformed services on active duty in the grade and years of service of the officer when the officer commences participation in the program.

''(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

''(A) PROHIBITION.—An officer who participates in a program under this section shall not, while participating in the program, be paid any special or incentive pay or bonus to which the officer is otherwise entitled under an agreement under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

''(B) NOT TREATED AS FAILURE TO PERFORM SERVICES.—The inactivation from active duty of an officer participating in a program under this section shall not be treated as a failure of the officer to perform any period of service required of the officer in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

''(3) RETURN TO ACTIVE DUTY.—

''(A) SPECIAL OR INCENTIVE PAY OR BONUS.—Subject to subparagraph (B), upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

''(i) any agreement entered into by the officer under chapter 5 of title 37, United States Code, for the payment of a special or incentive pay or bonus that was in force when the officer commenced participation in the program shall be revived, with the term of such agreement after revival being the period of the agreement remaining to run when the officer commenced participation in the program; and

''(ii) any special or incentive pay or bonus shall be payable to the officer in accordance with the terms of the agreement concerned for the term specified in clause (i).

''(B) LIMITATION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, at the time of the return of the officer to active duty as described in that subparagraph—

''(I) such pay or bonus is no longer authorized by law; or

''(II) the officer does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the officer to active duty.

''(ii) PAY OR BONUS CEASES BEING AUTHORIZED.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, during the term of the revived agreement of the officer under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

''(C) REPAYMENT.—An officer who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance with the terms of the applicable agreement of the officer under chapter 5 of title 37, United States Code.

''(D) REQUIRED SERVICE IS ADDITIONAL.—Any service required of an officer under an agreement covered by this paragraph after the officer returns to active duty as described in subparagraph (A) shall be in addition to any service required of the officer under an agreement under subsection (c).

''(4) TRAVEL AND TRANSPORTATION ALLOWANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an officer who participates in a program under this section is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474 of title 37, United States Code, for—

''(i) travel performed from the residence of the officer, at the time of release from active duty to participate in the program, to the location in the United States designated by the officer as the officer's residence during the period of participation in the program; and

''(ii) travel performed to the residence of the officer upon return to active duty at the end of the participation of the officer in the program.

''(B) SINGLE RESIDENCE.—An allowance is payable under this paragraph only with respect to travel of an officer to and from a single residence.

''(5) LEAVE BALANCE.—An officer who participates in a program under this section is entitled to carry forward the leave balance existing as of the day on which the officer begins participation and accumulated in accordance with section 701 of title 10, but not to exceed 60 days.

''(g) PROMOTION.—

''(1) IN GENERAL.—An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under subtitle B.

''(2) RETURN TO SERVICE.—Upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

''(A) the Secretary may adjust the date of rank of the officer in such manner as the Secretary shall prescribe in regulations for purposes of this section; and

''(B) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

''(h) CONTINUED ENTITLEMENTS.—An officer participating in a program under this section shall, while participating in the program, be treated as a member of the uniformed services on active duty for a period of more than 30 days for purposes of—

''(1) the entitlement of the officer and of the dependents of the officer to medical and dental care under the provisions of chapter 55 of title 10; and

''(2) retirement or separation for physical disability under the provisions of subtitle C.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1736(b), is further amended by inserting after the item relating to section 235 the following:

''Sec. 236. Career flexibility to enhance retention of officers.''.

Subtitle D—Separation and Retirement of Officers

SEC. 1741. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

''(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

''(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer's well-being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

''(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

''(3) LIMITATION.—A deferment of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 1742. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

''(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

''(1) expresses a desire not to be selected for promotion; or

''(2) requests removal from the list of selectees.''.

Subtitle E—Other National Oceanic and Atmospheric Administration Matters

SEC. 1751. CHARTING AND SURVEY SERVICES.

(a) IN GENERAL.—Not later than 270 days after the development of the strategy required by section 1002(b) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (33 U.S.C. 892a note), the Secretary of Commerce shall enter into not fewer than 2 multi-year contracts with 1 or more private entities for the performance of charting and survey services by vessels.

(b) CHARTING AND SURVEYS IN THE ARCTIC.—In soliciting and engaging the services of vessels under subsection (a), the Secretary shall particularly emphasize the need for charting and surveys in the Arctic.

SEC. 1752. CO-LOCATION AGREEMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, in fiscal year 2020 and each fiscal year thereafter, and subject to the availability of appropriations, the Administrator of the National Oceanic and Atmospheric Administration may execute noncompetitive co-location agreements for real

property and incidental goods and services with entities described in subsection (b) for periods of not more than 30 years, if each such agreement is supported by a price reasonableness analysis.

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) the government of any State, territory, possession, or locality of the United States;

(2) any Tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(3) any subdivision of—

(A) a government described in paragraph (1); or

(B) an organization described in paragraph (2); or

(4) any organization that is—

(A) organized under the laws of the United States or any jurisdiction within the United States; and

(B) described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(c) COLLABORATION AGREEMENTS.—Upon the execution of an agreement authorized by subsection (a) with an entity, the Administrator may enter into agreements with the entity to collaborate or engage in projects or programs on matters of mutual interest for periods not to exceed the term of the agreement. The cost of such agreements shall be apportioned equitably, as determined by the Administrator.

SEC. 1753. SATELLITE AND DATA MANAGEMENT.

Section 301 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531) is amended—

(1) in subsection (c)(1), by striking subparagraph (D) and inserting the following:

''(D) improve—

''(i) weather and climate forecasting and predictions; and

''(ii) the understanding, management, and exploration of the ocean.''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''data and satellite systems'' and inserting ''data, satellite, and other observing systems''; and

(ii) by striking ''to carry out'' and all that follows and inserting the following: ''to carry out—

''(A) basic, applied, and advanced research projects and ocean exploration missions to meet the objectives described in subparagraphs (A) through (D) of subsection (c)(1); or

''(B) any other type of project to meet other mission objectives, as determined by the Under Secretary.'';

(B) in paragraph (2)(B)(i), by striking ''satellites'' and all that follows and inserting ''systems, including satellites, instrumentation, ground stations, data, and data processing;''; and

(C) in paragraph (3), by striking ''2023'' and inserting ''2030''.

SEC. 1754. IMPROVEMENTS RELATING TO SEXUAL HARASSMENT AND ASSAULT PREVENTION AT THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) ANONYMOUS REPORTING.—Subtitle C of title XXXV of the National Defense Authorization Act for Fiscal Year 2017 (33 U.S.C. 894 et seq.) is amended—

(1) in section 3541(b)(3)(B) (33 U.S.C. 894(b)(3)(B)), by striking ''confidentially'' and inserting ''anonymously''; and

(2) in section 3542(b)(5)(B) (33 U.S.C. 894a(b)(5)(B)), by striking ''confidentially'' and inserting ''anonymously''.

(b) INVESTIGATIVE REQUIREMENT.—Such subtitle is amended—

(1) by redesignating sections 3546 and 3547 as sections 3548 and 3549, respectively; and

(2) by inserting after section 3545 the following:

''SEC. 3546. INVESTIGATION REQUIREMENT.

''(a) REQUIREMENT TO INVESTIGATE.—

''(1) IN GENERAL.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall ensure that each allegation of sexual harassment reported under section 3541 and each allegation of sexual assault reported under section 3542 is investigated thoroughly and promptly.

''(2) SENSE OF CONGRESS ON COMMENCEMENT OF INVESTIGATION.—It is the sense of Congress that the Secretary should ensure that an investigation of an alleged sexual harassment reported under section 3541 or sexual assault reported under section 3542 commences not later than 48 hours after the time at which the allegation was reported.

''(b) NOTIFICATION OF DELAY.—In any case in which the time between the reporting of an alleged sexual harassment or sexual assault under section 3541 or 3542, respectively, and commencement of an investigation of the allegation exceeds 48 hours, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives of the delay.

''SEC. 3547. CRIMINAL REFERRAL.

''If the Secretary of Commerce finds, pursuant to an investigation under section 3546, evidence that a crime may have been committed, the Secretary shall refer the matter to the appropriate law enforcement authorities, including the appropriate United States Attorney.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the items relating to sections 3546 and 3547 and inserting the following new items:

''Sec. 3546. Investigation requirement.
''Sec. 3547. Criminal referral.
''Sec. 3548. Annual report on sexual assaults in the National Oceanic and Atmospheric Administration.
''Sec. 3549. Sexual assault defined.''.

SEC. 1755. UPDATE TO ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR GREAT LAKES.

(a) UPDATE REQUIRED FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS FOR GREAT LAKES.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Oceans and Atmosphere shall commence updating the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes.

(b) PERIODIC UPDATES FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS GENERALLY.—Subject to the availability of appropriations and the priorities set forth in subsection (c), the Under Secretary shall—

(1) periodically update the environmental sensitivity index products of the Administration; and

(2) endeavor to do so not less frequently than once every 7 years.

(c) PRIORITIES.—When prioritizing geographic areas to update environmental sensitivity index products, the Under Secretary shall consider—

(1) the age of existing environmental sensitivity index products for the areas;

(2) the occurrence of extreme events, be it natural or man-made, which have significantly altered the shoreline or ecosystem since the last update;

(3) the natural variability of shoreline and coastal environments; and

(4) the volume of vessel traffic and general vulnerability to spilled pollutants.

(d) ENVIRONMENTAL SENSITIVITY INDEX PRODUCT DEFINED.—In this section, the term ''environmental sensitivity index product'' means a map or similar tool that is utilized to identify sensitive shoreline, coastal, or offshore resources prior to an oil spill event in order to set baseline priorities for protection and plan cleanup strategies, typically including information relating to shoreline type, biological resources, and human use resources.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Under Secretary $7,500,000 to carry out subsection (a).

(2) AVAILABILITY.—Amounts appropriated or otherwise made available pursuant to paragraph (1) shall be available to the Under Secretary for the purposes set forth in such paragraph until expended.

SA 2447. Mr. MORAN (for himself, Ms. CANTWELL, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 division A, add the following:

TITLE XVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS

SEC. 1701. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

Subtitle A—General Provisions

SEC. 1711. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

''SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

''(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

''(1) Vice admiral.
''(2) Rear admiral.
''(3) Rear admiral (lower half).
''(4) Captain.
''(5) Commander.
''(6) Lieutenant commander.
''(7) Lieutenant.
''(8) Lieutenant (junior grade).
''(9) Ensign.

''(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

''(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

''(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

''(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying

the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

''(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is one-half, the next higher whole number shall be taken.

''(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

''(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

''(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.''.

SEC. 1712. RECALLED OFFICERS.

(a) IN GENERAL.—Section 215 (33 U.S.C. 3005) is amended to read as follows:

''SEC. 215. NUMBER OF AUTHORIZED COMMISSIONED OFFICERS.

''(a) IN GENERAL.—The total number of authorized commissioned officers on the lineal list of the commissioned officer corps of the Administration shall not exceed 500.

''(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status or detailed to an agency other than the Administration—

''(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

''(2) may not count against such number.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 215 and inserting the following:

''Sec. 215. Number of authorized commissioned officers.''.

SEC. 1713. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 216. OBLIGATED SERVICE REQUIREMENT.

''(a) IN GENERAL.—

''(1) REGULATIONS.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirements of officers not otherwise covered by law.

''(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers' obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, continuations, and retirements as the Secretary considers appropriate.

''(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

''(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) is, for all purposes, a debt owed to the United States.

''(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

''(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

''(2) is—

''(A) not physically qualified for appointment; and

''(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer's own misconduct or grossly negligent conduct.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Obligated service requirement.''.

SEC. 1714. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1713(a), is further amended by adding at the end the following:

''SEC. 217. TRAINING AND PHYSICAL FITNESS.

''(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

''(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, mid-career training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

''(2) Providing officers and officer candidates with educational materials.

''(3) Acquiring such equipment as may be necessary for training and instructional purposes.

''(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1713(b), is further amended by inserting after the item relating to section 216 the following:

''Sec. 217. Training and physical fitness.''.

SEC. 1715. AVIATION ACCESSION TRAINING PROGRAMS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1714(a), is further amended by adding at the end the following:

''SEC. 218. AVIATION ACCESSION TRAINING PROGRAMS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

''(2) MEMBER OF THE PROGRAM.—The term 'member of the program' means a student who is enrolled in the program.

''(3) PROGRAM.—The term 'program' means an aviation accession training program of the commissioned officer corps of the Administration established pursuant to subsection (b).

''(b) AVIATION ACCESSION TRAINING PROGRAMS.—

''(1) ESTABLISHMENT AUTHORIZED.—The Administrator, under regulations prescribed by the Secretary, shall establish and maintain one or more aviation accession training programs for the commissioned officer corps of the Administration at institutions described in paragraph (2).

''(2) INSTITUTIONS DESCRIBED.—An institution described in this paragraph is an educational institution—

''(A) that requests to enter into an agreement with the Administrator providing for the establishment of the program at the institution;

''(B) that has, as a part of its curriculum, a four-year baccalaureate program of professional flight and piloting instruction that is accredited by the Aviation Accreditation Board International;

''(C) that is located in a geographic area that—

''(i) experiences a wide variation in climate-related activity, including frequent high winds, convective activity (including tornadoes), periods of low visibility, heat, and snow and ice episodes, to provide opportunities for pilots to demonstrate skill in all weather conditions compatible with future encounters during their service in the commissioned officer corps; and

''(ii) has a climate that can accommodate both primary and advanced flight training activity at least 75 percent of the year; and

''(D) at which the Administrator determines that—

''(i) there will be at least one student enrolled in the program; and

''(ii) the provisions of this section are otherwise satisfied.

''(3) LIMITATIONS IN CONNECTION WITH PARTICULAR INSTITUTIONS.—The program may not be established or maintained at an institution unless—

''(A) the senior commissioned officer or employee of the commissioned officer corps who is assigned as an advisor to the program at that institution is given the academic rank of adjunct professor; and

''(B) the institution fulfills the terms of its agreement with the Administrator.

''(4) MEMBERSHIP IN CONNECTION WITH STATUS AS STUDENT.—At institutions at which the program is established, the membership of students in the program shall be elective, as provided by State law or the authorities of the institution concerned.

''(c) MEMBERSHIP.—

''(1) ELIGIBILITY.—To be eligible for membership in the program, an individual must—

''(A) be a student at an institution at which the program is established;

''(B) be a citizen of the United States;

''(C) contract in writing, with the consent of a parent or guardian if a minor, with the Administrator, to—

''(i) accept an appointment, if offered, as a commissioned officer in the commissioned officer corps of the Administration; and

''(ii) serve in the commissioned officer corps for not fewer than four years;

''(D) enroll in—

''(i) a four-year baccalaureate program of professional flight and piloting instruction; and

''(ii) other training or education, including basic officer training, which is prescribed by the Administrator as meeting the preliminary requirement for admission to the commissioned officer corps; and

''(E) execute a certificate or take an oath relating to morality and conduct in such form as the Administrator prescribes.

''(2) COMPLETION OF PROGRAM.—A member of the program may be appointed as a regular officer in the commissioned officer corps if the member meets all requirements for appointment as such an officer.

''(d) FINANCIAL ASSISTANCE FOR QUALIFIED MEMBERS.—

''(1) EXPENSES OF COURSE OF INSTRUCTION.—

''(A) IN GENERAL.—In the case of a member of the program who meets such qualifications as the Administrator establishes for purposes of this subsection, the Administrator may pay the expenses of the member in connection with pursuit of a course of professional flight and piloting instruction under the program, including tuition, fees, educational materials such as books, training, certifications, travel, and laboratory expenses.

''(B) ASSISTANCE AFTER FOURTH ACADEMIC YEAR.—In the case of a member of the program described in subparagraph (A) who is enrolled in a course described in that subparagraph that has been approved by the Administrator and requires more than four academic years for completion, including elective requirements of the program, assistance under this subsection may also be provided during a fifth academic year or during a combination of a part of a fifth academic year and summer sessions.

''(2) ROOM AND BOARD.—In the case of a member eligible to receive assistance under paragraph (1), the Administrator may, in lieu of payment of all or part of such assistance, pay the room and board expenses of the member, and other educational expenses, of the educational institution concerned.

''(3) FAILURE TO COMPLETE PROGRAM OR ACCEPT COMMISSION.—A member of the program who receives assistance under this subsection and who does not complete the course of instruction, or who completes the course but declines to accept a commission in the commissioned officer corps when offered, shall be subject to the repayment provisions of subsection (e).

''(e) REPAYMENT OF UNEARNED PORTION OF FINANCIAL ASSISTANCE WHEN CONDITIONS OF PAYMENT NOT MET.—

''(1) IN GENERAL.—A member of the program who receives or benefits from assistance under subsection (d), and whose receipt of or benefit from such assistance is subject to the condition that the member fully satisfy the requirements of subsection (c), shall repay to the United States an amount equal to the assistance received or benefitted from if the member fails to fully satisfy such requirements and may not receive or benefit from any unpaid amounts of such assistance after the member fails to satisfy such requirements, unless the Administrator determines that the imposition of the repayment requirement and the termination of payment of unpaid amounts of such assistance with regard to the member would be—

''(A) contrary to a personnel policy or management objective;

''(B) against equity and good conscience; or

''(C) contrary to the best interests of the United States.

''(2) REGULATIONS.—The Administrator may establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to repayment may be granted. The Administrator may specify in the regulations the conditions under which financial assistance to be paid to a member of the program will not be made if the member no longer satisfies the requirements in subsection (c) or qualifications in subsection (d) for such assistance.

''(3) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the United States under this subsection is, for all purposes, a debt owed to the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1714(b), is further amended by inserting after the item relating to section 217 the following:

''Sec. 218. Aviation accession training programs.''.

SEC. 1716. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1715(a), is further amended by adding at the end the following:

''SEC. 219. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

''The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1715(b), is further amended by inserting after the item relating to section 218 the following:

''Sec. 219. Use of recruiting materials for public relations.''.

SEC. 1717. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting ''in the commissioned officer corps'' before ''of the National''.

Subtitle B—Parity and Recruitment

SEC. 1721. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

''(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

''(1) was used by the person to finance education; and

''(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

''(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

''(1) satisfy one of the requirements specified in subsection (c);

''(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

''(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

''(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

''(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

''(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

''(d) LOAN REPAYMENTS.—

''(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

''(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

''(e) ACTIVE DUTY SERVICE OBLIGATION.—

''(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

''(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

''(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than one year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

''(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

''(4) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.

''(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

''(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

''(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

''(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

''(1) standards for qualified loans and authorized payees; and

''(2) other terms and conditions for the making of loan repayments.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 266 the following:

''Sec. 267. Education loan repayment program.''.

SEC. 1722. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1721(a), is further amended by adding at the end the following:

"SEC. 268. INTEREST PAYMENT PROGRAM.

''(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on one or more student loans of an eligible officer, in accordance with this section.

''(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

''(1) is serving on active duty;

''(2) has not completed more than three years of service on active duty;

''(3) is the debtor on one or more unpaid loans described in subsection (c); and

''(4) is not in default on any such loan.

''(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

''(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

''(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

''(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

''(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

''(e) COORDINATION WITH SECRETARY OF EDUCATION.—

''(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

''(2) REIMBURSEMENT AUTHORIZED.—The Secretary is authorized to reimburse the Secretary of Education—

''(A) for the funds necessary to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

''(B) for any reasonable administrative costs incurred by the Secretary of Education in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

''(f) SPECIAL ALLOWANCE DEFINED.—In this section, the term 'special allowance' means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively,'' after ''Armed Forces''.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively'' after ''Armed Forces''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1721(b), is further amended by inserting after the item relating to section 267 the following:

''Sec. 268. Interest payment program.''.

SEC. 1723. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1722(a), is further amended by adding at the end the following:

"SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

''(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

''(1) a baccalaureate degree in not more than five academic years; or

''(2) a postbaccalaureate degree.

''(b) ELIGIBLE PERSONS.—

''(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

''(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

''(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

''(C) enters into a written agreement with the Secretary described in paragraph (2).

''(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person—

''(A) agrees to accept an appointment as an officer, if tendered; and

''(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

''(i) up to three years if the person received less than three years of assistance; and

''(ii) up to five years if the person received at least three years of assistance.

''(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

''(1) Tuition and fees charged by the educational institution involved.

''(2) The cost of educational materials.

''(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

''(4) Such other expenses as the Secretary considers appropriate.

''(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

''(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than five consecutive academic years.

''(f) SUBSISTENCE ALLOWANCE.—

''(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

''(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

''(g) INITIAL CLOTHING ALLOWANCE.—

''(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

''(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

''(h) TERMINATION OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

''(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

''(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

''(C) the person fails to fulfill any term or condition of the agreement.

''(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

''(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

''(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

''(B) is—

''(i) not physically qualified for appointment; and

''(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

''(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

''(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

''(i) REGULATIONS.—The Secretary may prescribe such regulations and orders as the Secretary considers appropriate to carry out this section.

''(j) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An

Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1722(c), is further amended by inserting after the item relating to section 268 the following:

''Sec. 269. Student pre-commissioning education assistance program.''.

SEC. 1724. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with the fiscal year in which this title is enacted, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 1721(a)), section 268 of such Act (as added by section 1722(a)), and section 269 of such Act (as added by section 1723(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 1735(d)), if such section entitled officer candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O–1 with less than 2 years of service, exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term ''officer candidate'' has the meaning given the term in paragraph (4) of section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 1735(c).

SEC. 1725. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (22) through (25), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (14) through (19), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

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

''(4) Section 771, relating to unauthorized wearing of uniforms.

''(5) Section 774, relating to wearing religious apparel while in uniform.

''(6) Section 982, relating to service on State and local juries.

''(7) Section 1031, relating to administration of oaths.'';

(5) by inserting after paragraph (10), as redesignated, the following:

''(11) Section 1074n, relating to annual mental health assessments.

''(12) Section 1090a, relating to referrals for mental health evaluations.

''(13) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.''; and

(6) by inserting after paragraph (19), as redesignated, the following:

''(20) Subchapter I of chapter 88, relating to Military Family Programs, applicable on an as-available and fully reimbursable basis.

''(21) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.''.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) in subsection (b)(4), by striking ''armed forces'' both places it appears and inserting ''uniformed services''.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), in the matter before subparagraph (A), by striking ''armed forces'' and inserting ''uniformed services''; and

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

''(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA CORPS AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term 'Secretary concerned' in subsection (a) shall include the Secretary of Commerce with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration.''.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''or the commissioned officer corps of the National Oceanic and Atmospheric Administration'' after ''in the case of the Navy''; and

(ii) by striking ''other armed forces'' and inserting ''other uniformed services''; and

(B) in subsection (b)(1), in the matter before subparagraph (A), by inserting ''or the Secretary of Commerce, as applicable,'' after ''the Secretary of Defense''.

SEC. 1726. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

''SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

''The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

''(1) Section 403(l), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

''(2) Section 415, relating to initial uniform allowances.

''(3) Section 488, relating to allowances for recruiting expenses.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

''Sec. 261A. Applicability of certain provisions of title 37, United States Code.''.

SEC. 1727. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 1725(a), is further amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

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

''(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: ''For purposes of paragraph (8) of subsection (a), the term 'Inspector General' in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

''(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may prescribe regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by prescribing such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.''.

SEC. 1728. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this title, is further amended by adding at the end the following:

''SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

''(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least three years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

''(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

''(c) COMPETITIVE SERVICE DEFINED.—In this section, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by section 1723(b), the following new item:

''Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.''.

Subtitle C—Appointments and Promotion of Officers

SEC. 1731. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

''SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

''(a) ORIGINAL APPOINTMENTS.—

''(1) GRADES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

''(i) the qualification, experience, and length of service of the appointee; and

''(ii) the commissioned officer corps of the Administration.

''(B) APPOINTMENT OF OFFICER CANDIDATES.—

''(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

''(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from the basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

''(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

''(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

''(B) Subject to the approval of the Secretary of Defense, graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(C) Graduates of the State maritime academies who—

''(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

''(ii) completed at least three years of regimented training while at a State maritime academy; and

''(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

''(D) Licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term 'military service academies of the United States' means the following:

''(i) The United States Military Academy, West Point, New York.

''(ii) The United States Naval Academy, Annapolis, Maryland.

''(iii) The United States Air Force Academy, Colorado Springs, Colorado.

''(iv) The United States Coast Guard Academy, New London, Connecticut.

''(v) The United States Merchant Marine Academy, Kings Point, New York.

''(B) STATE MARITIME ACADEMY.—The term 'State maritime academy' has the meaning given the term in section 51102 of title 46, United States Code.

''(b) REAPPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

''(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

''(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

''(d) ORDER OF PRECEDENCE.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. The order of precedence of appointees whose dates of commission are the same shall be determined by the Secretary.

''(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

''(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

''(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

''(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 221 and inserting the following:

''Sec. 221. Original appointments and reappointments.''.

SEC. 1732. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

''SEC. 222. PERSONNEL BOARDS.

''(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—A board convened under subsection (a) shall consist of five or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

''(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

''(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of two successive personnel boards convened to consider officers of the same grade for promotion or separation.

''(c) DUTIES.—Each personnel board shall—

''(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

''(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

''(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.

''(e) AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION CONSIDERATION.—

''(1) IN GENERAL.—The Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps may provide that an officer, upon the officer's request and with the approval of the Director, be excluded from consideration for promotion by a personnel board convened under this section.

''(2) APPROVAL.—The Director shall approve a request made by an officer under paragraph (1) only if—

''(A) the basis for the request is to allow the officer to complete a broadening assignment, advanced education, another assignment of significant value to the Administration, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Director;

''(B) the Director determines the exclusion from consideration is in the best interest of the Administration; and

''(C) the officer has not previously failed selection for promotion to the grade for which the officer requests the exclusion from consideration.''.

SEC. 1733. POSITIONS OF IMPORTANCE AND RESPONSIBILITY.

Section 228 (33 U.S.C. 3028) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking ''The Secretary shall designate one position under this section'' and inserting ''The President shall designate one position''; and

(B) in the second sentence, by striking ''That position shall be filled by'' and inserting ''The President shall fill that position by appointing, by and with the advice and consent of the Senate,'';

(2) in subsection (d)(2), by inserting ''or immediately beginning a period of terminal leave'' after ''for which a higher grade is designated'';

(3) by amending subsection (e) to read as follows:

''(e) LIMIT ON NUMBER OF OFFICERS APPOINTED.—The total number of officers serving on active duty at any one time in the grade of rear admiral (lower half) or above may not exceed five, with only one serving in the grade of vice admiral.''; and

(4) in subsection (f), by inserting ''or in a period of annual leave used at the end of the appointment'' after ''serving in that grade''.

SEC. 1734. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

''SEC. 229. TEMPORARY APPOINTMENTS.

''(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

''(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

''(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

''(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 229 and inserting the following:

''Sec. 229. Temporary appointments.''.

SEC. 1735. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

''SEC. 234. OFFICER CANDIDATES.

''(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

''(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations, which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the basic officer training program of the Administration,

and all other matters affecting such appointment.

''(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(d) AGREEMENT.—

''(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

''(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

''(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

''(B) That upon graduation from such program, the officer candidate—

''(i) will accept an appointment, if tendered, as an officer; and

''(ii) will serve on active duty for at least four years immediately after such appointment.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) standards for determining what constitutes a breach of an agreement signed under subsection (d)(1); and

''(2) procedures for determining whether such a breach has occurred.

''(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under subsection (d) shall be subject to the repayment provisions of section 216(b).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

''Sec. 234. Officer candidates.''.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

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

''(4) OFFICER CANDIDATE.—The term 'officer candidate' means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).''.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

''(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rates equal to the basic pay of an enlisted member in the pay grade E–5 with less than two years of service.

''(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.''.

SEC. 1736. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1735(a), is further amended by adding at the end the following:

''SEC. 235. PROCUREMENT OF PERSONNEL.

''The Secretary may take such measures as the Secretary determines necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1735(b), is further amended by inserting after the item relating to section 234 the following:

''235. Procurement of personnel.''.

SEC. 1737. CAREER INTERMISSION PROGRAM.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1736(a), is further amended by adding at the end the following:

''SEC. 236. CAREER FLEXIBILITY TO ENHANCE RETENTION OF OFFICERS.

''(a) PROGRAMS AUTHORIZED.—The Secretary may carry out a program under which officers may be inactivated from active duty in order to meet personal or professional needs and returned to active duty at the end of such period of inactivation from active duty.

''(b) PERIOD OF INACTIVATION FROM ACTIVE DUTY; EFFECT OF INACTIVATION.—

''(1) IN GENERAL.—The period of inactivation from active duty under a program under this section of an officer participating in the program shall be such period as the Secretary shall specify in the agreement of the officer under subsection (c), except that such period may not exceed three years.

''(2) EXCLUSION FROM RETIREMENT.—Any period of participation of an officer in a program under this section shall not count toward eligibility for retirement or computation of retired pay under subtitle C.

''(c) AGREEMENT.—Each officer who participates in a program under this section shall enter into a written agreement with the Secretary under which that officer shall agree as follows:

''(1) To undergo during the period of the inactivation of the officer from active duty under the program such inactive duty training as the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps shall require in order to ensure that the officer retains proficiency, at a level determined by the Director to be sufficient, in the technical skills, professional qualifications, and physical readiness of the officer during the inactivation of the officer from active duty.

''(2) Following completion of the period of the inactivation of the officer from active duty under the program, to serve two months on active duty for each month of the period of the inactivation of the officer from active duty under the program.

''(d) CONDITIONS OF RELEASE.—The Secretary shall—

''(1) prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c); and

''(2) at a minimum, prescribe the procedures and standards to be used to instruct an officer on the obligations to be assumed by the officer under paragraph (1) of such subsection while the officer is released from active duty.

''(e) ORDER TO ACTIVE DUTY.—Under regulations prescribed by the Secretary, an officer participating in a program under this section may, in the discretion of the Secretary, be required to terminate participation in the program and be ordered to active duty.

''(f) PAY AND ALLOWANCES.—

''(1) BASIC PAY.—During each month of participation in a program under this section, an officer who participates in the program shall be paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the officer would otherwise be entitled under section 204 of title 37, United States Code, as a member of the uniformed services on active duty in the grade and years of service of the officer when the officer commences participation in the program.

''(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

''(A) PROHIBITION.—An officer who participates in a program under this section shall not, while participating in the program, be paid any special or incentive pay or bonus to which the officer is otherwise entitled under an agreement under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

''(B) NOT TREATED AS FAILURE TO PERFORM SERVICES.—The inactivation from active duty of an officer participating in a program under this section shall not be treated as a failure of the officer to perform any period of service required of the officer in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

''(3) RETURN TO ACTIVE DUTY.—

''(A) SPECIAL OR INCENTIVE PAY OR BONUS.—Subject to subparagraph (B), upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

''(i) any agreement entered into by the officer under chapter 5 of title 37, United States Code, for the payment of a special or incentive pay or bonus that was in force when the officer commenced participation in the program shall be revived, with the term of such agreement after revival being the period of the agreement remaining to run when the officer commenced participation in the program; and

''(ii) any special or incentive pay or bonus shall be payable to the officer in accordance with the terms of the agreement concerned for the term specified in clause (i).

''(B) LIMITATION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, at the time of the return of the officer to active duty as described in that subparagraph—

''(I) such pay or bonus is no longer authorized by law; or

''(II) the officer does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the officer to active duty.

''(ii) PAY OR BONUS CEASES BEING AUTHORIZED.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, during the term of the revived agreement of the officer under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

''(C) REPAYMENT.—An officer who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance

with the terms of the applicable agreement of the officer under chapter 5 of title 37, United States Code.

''(D) REQUIRED SERVICE IS ADDITIONAL.—Any service required of an officer under an agreement covered by this paragraph after the officer returns to active duty as described in subparagraph (A) shall be in addition to any service required of the officer under an agreement under subsection (c).

''(4) TRAVEL AND TRANSPORTATION ALLOWANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an officer who participates in a program under this section is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474 of title 37, United States Code, for—

''(i) travel performed from the residence of the officer, at the time of release from active duty to participate in the program, to the location in the United States designated by the officer as the officer's residence during the period of participation in the program; and

''(ii) travel performed to the residence of the officer upon return to active duty at the end of the participation of the officer in the program.

''(B) SINGLE RESIDENCE.—An allowance is payable under this paragraph only with respect to travel of an officer to and from a single residence.

''(5) LEAVE BALANCE.—An officer who participates in a program under this section is entitled to carry forward the leave balance existing as of the day on which the officer begins participation and accumulated in accordance with section 701 of title 10, but not to exceed 60 days.

''(g) PROMOTION.—

''(1) IN GENERAL.—An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under subtitle B.

''(2) RETURN TO SERVICE.—Upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

''(A) the Secretary may adjust the date of rank of the officer in such manner as the Secretary shall prescribe in regulations for purposes of this section; and

''(B) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

''(h) CONTINUED ENTITLEMENTS.—An officer participating in a program under this section shall, while participating in the program, be treated as a member of the uniformed services on active duty for a period of more than 30 days for purposes of—

''(1) the entitlement of the officer and of the dependents of the officer to medical and dental care under the provisions of chapter 55 of title 10; and

''(2) retirement or separation for physical disability under the provisions of subtitle C.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1736(b), is further amended by inserting after the item relating to section 235 the following:

''Sec. 236. Career flexibility to enhance retention of officers.''.

Subtitle D—Separation and Retirement of Officers

SEC. 1741. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

''(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

''(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer's well-being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

''(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

''(3) LIMITATION.—A deferment of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 1742. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

''(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

''(1) expresses a desire not to be selected for promotion; or

''(2) requests removal from the list of selectees.''.

Subtitle E—Other National Oceanic and Atmospheric Administration Matters

SEC. 1751. CHARTING AND SURVEY SERVICES.

(a) IN GENERAL.—Not later than 270 days after the development of the strategy required by section 1002(b) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (33 U.S.C. 892a note), the Secretary of Commerce shall enter into not fewer than 2 multi-year contracts with 1 or more private entities for the performance of charting and survey services by vessels.

(b) CHARTING AND SURVEYS IN THE ARCTIC.—In soliciting and engaging the services of vessels under subsection (a), the Secretary shall particularly emphasize the need for charting and surveys in the Arctic.

SEC. 1752. CO-LOCATION AGREEMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, in fiscal year 2020 and each fiscal year thereafter, and subject to the availability of appropriations, the Administrator of the National Oceanic and Atmospheric Administration may execute noncompetitive co-location agreements for real property and incidental goods and services with entities described in subsection (b) for periods of not more than 30 years, if each such agreement is supported by a price reasonableness analysis.

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) the government of any State, territory, possession, or locality of the United States;

(2) any Tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(3) any subdivision of—

(A) a government described in paragraph (1); or

(B) an organization described in paragraph (2); or

(4) any organization that is—

(A) organized under the laws of the United States or any jurisdiction within the United States; and

(B) described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(c) COLLABORATION AGREEMENTS.—Upon the execution of an agreement authorized by subsection (a) with an entity, the Administrator may enter into agreements with the entity to collaborate or engage in projects or programs on matters of mutual interest for periods not to exceed the term of the agreement. The cost of such agreements shall be apportioned equitably, as determined by the Administrator.

SEC. 1753. SATELLITE AND DATA MANAGEMENT.

Section 301 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531) is amended—

(1) in subsection (c)(1), by striking subparagraph (D) and inserting the following:

''(D) improve—

''(i) weather and climate forecasting and predictions; and

''(ii) the understanding, management, and exploration of the ocean.''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''data and satellite systems'' and inserting ''data, satellite, and other observing systems''; and

(ii) by striking ''to carry out'' and all that follows and inserting the following: ''to carry out—

''(A) basic, applied, and advanced research projects and ocean exploration missions to meet the objectives described in subparagraphs (A) through (D) of subsection (c)(1); or

''(B) any other type of project to meet other mission objectives, as determined by the Under Secretary.'';

(B) in paragraph (2)(B)(i), by striking ''satellites'' and all that follows and inserting ''systems, including satellites, instrumentation, ground stations, data, and data processing;''; and

(C) in paragraph (3), by striking ''2023'' and inserting ''2030''.

SEC. 1754. IMPROVEMENTS RELATING TO SEXUAL HARASSMENT AND ASSAULT PREVENTION AT THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) ANONYMOUS REPORTING.—Subtitle C of title XXXV of the National Defense Authorization Act for Fiscal Year 2017 (33 U.S.C. 894 et seq.) is amended—

(1) in section 3541(b)(3)(B) (33 U.S.C. 894(b)(3)(B)), by striking ''confidentially'' and inserting ''anonymously''; and

(2) in section 3542(b)(5)(B) (33 U.S.C. 894a(b)(5)(B)), by striking ''confidentially'' and inserting ''anonymously''.

(b) INVESTIGATIVE REQUIREMENT.—Such subtitle is amended—

(1) by redesignating sections 3546 and 3547 as sections 3548 and 3549, respectively; and

(2) by inserting after section 3545 the following:

''SEC. 3546. INVESTIGATION REQUIREMENT.

''(a) REQUIREMENT TO INVESTIGATE.—

''(1) IN GENERAL.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall ensure that each allegation of sexual harassment reported under section 3541 and each allegation of sexual assault reported under section 3542 is investigated thoroughly and promptly.

''(2) SENSE OF CONGRESS ON COMMENCEMENT OF INVESTIGATION.—It is the sense of Congress that the Secretary should ensure that an investigation of an alleged sexual harassment reported under section 3541 or sexual assault reported under section 3542 commences not later than 48 hours after the time at which the allegation was reported.

''(b) NOTIFICATION OF DELAY.—In any case in which the time between the reporting of an alleged sexual harassment or sexual assault under section 3541 or 3542, respectively, and commencement of an investigation of the allegation exceeds 48 hours, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives of the delay.

"SEC. 3547. CRIMINAL REFERRAL.

"If the Secretary of Commerce finds, pursuant to an investigation under section 3546, evidence that a crime may have been committed, the Secretary shall refer the matter to the appropriate law enforcement authorities, including the appropriate United States Attorney.".

(c) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the items relating to sections 3546 and 3547 and inserting the following new items:

"Sec. 3546. Investigation requirement.
"Sec. 3547. Criminal referral.
"Sec. 3548. Annual report on sexual assaults in the National Oceanic and Atmospheric Administration.
"Sec. 3549. Sexual assault defined.".

SEC. 1755. UPDATE TO ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR GREAT LAKES.

(a) UPDATE REQUIRED FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS FOR GREAT LAKES.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Oceans and Atmosphere shall commence updating the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes.

(b) PERIODIC UPDATES FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS GENERALLY.—Subject to the availability of appropriations and the priorities set forth in subsection (c), the Under Secretary shall—

(1) periodically update the environmental sensitivity index products of the Administration; and

(2) endeavor to do so not less frequently than once every 7 years.

(c) PRIORITIES.—When prioritizing geographic areas to update environmental sensitivity index products, the Under Secretary shall consider—

(1) the age of existing environmental sensitivity index products for the areas;

(2) the occurrence of extreme events, be it natural or man-made, which have significantly altered the shoreline or ecosystem since the last update;

(3) the natural variability of shoreline and coastal environments; and

(4) the volume of vessel traffic and general vulnerability to spilled pollutants.

(d) ENVIRONMENTAL SENSITIVITY INDEX PRODUCT DEFINED.—In this section, the term "environmental sensitivity index product" means a map or similar tool that is utilized to identify sensitive shoreline, coastal, or offshore resources prior to an oil spill event in order to set baseline priorities for protection and plan cleanup strategies, typically including information relating to shoreline type, biological resources, and human use resources.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Under Secretary $7,500,000 to carry out subsection (a).

(2) AVAILABILITY.—Amounts appropriated or otherwise made available pursuant to paragraph (1) shall be available to the Under Secretary for the purposes set forth in such paragraph until expended.

SA 2448. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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, insert the following:

SEC. 1656. SENSE OF CONGRESS ON SUPPORT FOR UNITED STATES URANIUM PRODUCERS.

It is the sense of Congress that the Secretary of Defense should provide support to producers of uranium in the United States in light of the threat to national security posed by uranium producers owned or controlled by foreign governments.

SA 2449. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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___. AUTHORITY FOR PRIVATIZATION OF STORMWATER SYSTEMS OF MILITARY INSTALLATIONS.

Section 2688(i)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(G) A system for the treatment or disposal of stormwater.".

SA 2450. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. _____. "SIX TRIPLE EIGHT" CONGRESSIONAL GOLD MEDAL.

(a) FINDINGS.—Congress finds the following:

(1) On July 1, 1943, President Franklin D. Roosevelt signed into law legislation that established the Women's Army Corps (referred to in this section as the "WAC") as a component in the Army. The WAC was converted from the Women's Army Auxiliary Corps (referred to in this section as the "WAAC"), which had been created in 1942 without official military status. First Lady Eleanor Roosevelt and Mary McLeod Bethune, the founder of the National Council of Negro Women, advocated for the admittance of African-American women into the newly formed WAC to serve as officers and enlisted personnel.

(2) Dubbed "10 percenters", the recruitment of African-American women to the WAAC was limited to 10 percent of the population of the WAAC to match the proportion of African-Americans in the national population. Despite an executive order issued by President Franklin D. Roosevelt in 1941 banning racial discrimination in civilian defense industries, the Armed Forces remained segregated. Enlisted women served in segregated units, participated in segregated training, lived in separate quarters, ate at separate tables in mess halls, and used segregated recreational facilities. Officers received their officer candidate training in integrated units but lived under segregated conditions. Specialist and technical training schools were integrated in 1943. During World War II, a total of 6,520 African-American women served in the WAAC and the WAC.

(3) After several units of White women were sent to serve in the European Theater of Operations (referred to in this section as the "ETO") during World War II, African-American organizations advocated for the War Department to extend the opportunity to serve overseas to African-American WAC units.

(4) In November 1944, the War Department approved sending African-American women to serve in Europe. A battalion of all African-American women drawn from the WAC, the Army Service Forces, and the Army Air Forces was created and designated as the 6888th Central Postal Directory Battalion (referred to in this section as the "6888th"), which was nicknamed the "Six Triple Eight".

(5) Army officials reported a shortage of qualified postal officers within the ETO, which resulted in a backlog of undelivered mail. As Allied forces drove across Europe, the ever-changing locations of servicemembers hampered the delivery of mail to those servicemembers. Because 7,000,000 individuals from the United States were serving in the ETO, many of those individuals had identical names. As an example, 7,500 such individuals were named Robert Smith. One general predicted that the backlog in Birmingham, England would take 6 months to process and the lack of reliable mail service was hurting morale.

(6) In March 1945, the 6888th arrived in Birmingham. Upon their arrival, the 6888th found warehouses filled with millions of pieces of mail intended for members of the Armed Forces, United States Government personnel, and Red Cross workers serving in the ETO.

(7) The 6888th created effective processes and filing systems to track individual servicemembers, organize "undeliverable" mail, determine the intended recipient for insufficiently addressed mail, and handle mail addressed to servicemembers who had died. Adhering to their motto of "No mail, low morale", the women processed an average of 65,000 pieces of mail per shift and cleared the 6-month backlog of mail within 3 months.

(8) The 6888th traveled to Rouen, France in May 1945 and worked through a separate backlog of undelivered mail dating back as far as 3 years.

(9) At the completion of their mission, the entire unit returned to the United States. The 6888th was discontinued on March 9, 1946, at Camp Kilmer, New Jersey.

(10) The accomplishments of the 6888th in Europe encouraged the General Board, United States Forces, European Theater of Operations to adopt the following premise in their study of the WAC issued in December 1945: "[T]he national security program is the joint responsibility of all Americans irrespective of color or sex" and "the continued use of colored, along with white, female military personnel is required in such strength as is proportionately appropriate to the relative population distribution between colored and white races".

(11) With the exception of smaller units of African-American nurses who served in Africa, Australia, and England, the 6888th was the only African-American women's unit to serve overseas during World War II.

(12) The members of the "Six Triple Eight" received the European African Middle Eastern Campaign Medal, the Women's Army

Corps Service Medal, and the World War II Victory Medal for their service.

(b) CONGRESSIONAL GOLD MEDAL.—

(1) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the women of the 6888th Central Postal Directory Battalion (commonly known as the ''Six Triple Eight'') in recognition of—

(A) the pioneering military service of those women;

(B) the devotion to duty of those women; and

(C) the contributions made by those women to increase the morale of all United States personnel stationed in the European Theater of Operations during World War II.

(2) DESIGN AND STRIKING.—For the purposes of the award described in paragraph (1), the Secretary of the Treasury (referred to in this section as the ''Secretary'') shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(3) SMITHSONIAN INSTITUTION.—

(A) IN GENERAL.—After the award of the gold medal under paragraph (1), the medal shall be given to the Smithsonian Institution, where the medal shall be available for display, as appropriate, and made available for research.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under subparagraph (A) available elsewhere, particularly at—

(i) appropriate locations associated with the 6888th Central Postal Directory Battalion;

(ii) the Women in Military Service for America Memorial;

(iii) the United States Army Women's Museum;

(iv) the National World War II Museum and Memorial; and

(v) any other location determined appropriate by the Smithsonian Institution.

(c) DUPLICATE MEDALS.—Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under subsection (b) at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

(d) NATIONAL MEDALS.—

(1) NATIONAL MEDALS.—Medals struck under this section are national medals for purposes of chapter 51 of title 31, United States Code.

(2) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this section shall be considered to be numismatic items.

SA 2451. Ms. WARREN (for Mr. MARKEY (for himself, Ms. WARREN, and Mr. BROWN)) submitted an amendment intended to be proposed by Ms. WARREN 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. SENSE OF CONGRESS ON PAYMENT OF AMOUNTS OWED BY KUWAIT TO UNITED STATES MEDICAL INSTITUTIONS.

(a) FINDINGS.—Congress finds that—

(1) at least 45 medical institutions in the United States have provided medical services to citizens of Kuwait; and

(2) despite providing care for their citizens, Kuwait has not paid amounts owed to such United States medical institutions for such services in over two years.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Kuwait is an important partner of the United States in the Middle East and both countries should find ways to address irritants in the bilateral relationship;

(2) the United States should seek a resolution with Kuwait regarding the outstanding amounts Kuwait owes to United States medical institutions for medical services provided to citizens of Kuwait, especially during the Coronavirus Disease 2019 (''COVID–19'') pandemic; and

(3) Kuwait should immediately pay such outstanding amounts owed to such United States medical institutions.

SA 2452. Ms. WARREN (for Mr. MARKEY (for himself, Ms. WARREN, Mr. BOOKER, Mr. BLUMENTHAL, Mr. WYDEN, Mr. VAN HOLLEN, Mr. MENENDEZ, Ms. BALDWIN, Mr. WHITEHOUSE, and Ms. HIRONO)) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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, insert the following:

SEC. 128___. ONLINE AND DISTANCE EDUCATION CLASSES AND NONIMMIGRANT VISAS.

(a) IN GENERAL.—Notwithstanding any other provision of law, during the period described in subsection (b), an international student described in subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) may engage in online or distance education classes or programs that are determined necessary by an institution or program described in any such subparagraph for the protection of health and safety. Such classes or programs shall count towards the requirement to pursue a full course of study for the student to maintain nonimmigrant status.

(b) PERIOD DESCRIBED.—The period described in this subsection is the period—

(1) beginning on March 13, 2020; and

(2) ending on the later of—

(A) June 30, 2021; or

(B) the date that is 90 days after the date on which the public health emergency declared by the Secretary of Health and Human Services due to the COVID–19 pandemic under section 319 of the Public Health Service Act (42 U.S.C. 247d) is terminated.

SA 2453. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 V, insert the following:

SEC. 512. TESTING AND CONTACT TRACING IN CONNECTION WITH THE CORONAVIRUS DISEASE 2019 AS AUTHORIZED TRAINING AND DUTY OF THE NATIONAL GUARD.

Training and duty of units and members of the National Guard required or authorized by section 502 of title 32, United States Code, may include testing and contact tracing in connection with the Coronavirus Disease 2019 (COVID–19) as part of the emergency involving Federal primary responsibility determined to exist by the President under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 or any other major disaster or emergency declared pursuant to that Act with respect to the Coronavirus Disease 2019.

SA 2454. Ms. MCSALLY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. ____. EQUITABLE ADJUSTMENTS TO CERTAIN CONSTRUCTION CONTRACTS.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 15 the following:

''SEC. 15A. EQUITABLE ADJUSTMENTS TO CONSTRUCTION CONTRACTS.

''(a) REQUEST FOR AN EQUITABLE ADJUSTMENT.—A small business concern performing a construction contract that was awarded by an agency may submit a request for an equitable adjustment to the contracting officer of such agency if the contracting officer directs a change in the work within the general scope of the contract without the agreement of the small business concern. Such request shall—

''(1) be timely made pursuant to the terms of the contract; and

''(2) comply with Federal regulations regarding equitable adjustments, including specifying additional costs resulting from such change in the work within the general scope of the contract.

''(b) AMOUNT.—Upon receipt of a request for equitable adjustment under subsection (a), the agency shall provide to the small business concern an interim partial payment in an amount that is at least 50 percent of the costs identified in the request for equitable adjustment under subsection (a)(2).

''(c) LIMITATION.—Any interim partial payment made under this section shall not be deemed to be an action to definitize the request for an equitable adjustment.

''(d) FLOW-DOWN OF INTERIM PARTIAL PAYMENT AMOUNTS.—A small business concern that requests an equitable adjustment under this section shall pay to a first tier subcontractor or supplier the portion of the interim partial payment received that is attributable to the increased costs of performance incurred by the first tier subcontractor or supplier due to the change in the work within

the general scope of the contract. A subcontractor or supplier at any tier that receives a portion of an interim partial payment under this section shall pay its subcontractor or supplier the appropriate portion of such payment.''.

(b) IMPLEMENTATION.—The Administrator of the Small Business Administration shall implement the requirements of this section not later than the first day of the first full fiscal year beginning after the date of enactment of this Act.

SA 2455. Ms. CORTEZ MASTO (for herself, Mr. DAINES, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. CRAMER, Ms. HASSAN, Mr. JONES, Mr. KAINE, Mr. PETERS, Ms. ROSEN, Mrs. SHAHEEN, Mr. UDALL, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. 1085. INTERAGENCY TASK FORCE ON OUTDOOR RECREATION FOR VETERANS.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a task force to be known as the ''Task Force on Outdoor Recreation for Veterans'' (in this section referred to as the ''Task Force'').

(b) COMPOSITION.—The Task Force shall be composed of the following members or their designees:

(1) The Secretary of Veterans Affairs.

(2) The Secretary of the Interior.

(3) The Secretary of Health and Human Services.

(4) The Secretary of Agriculture.

(5) The Secretary of Defense.

(6) The Secretary of Homeland Security.

(7) The Chief of the Army Corps of Engineers.

(8) Any other member that the Secretary of Veterans Affairs determines to be appropriate.

(c) CHAIRPERSONS.—The Secretary of Veterans Affairs and the Secretary of the Interior shall serve as co-chairpersons of the Task Force (in this section referred to as the ''Chairpersons'').

(d) DUTIES.—

(1) TASK FORCE.—The duties of the Task Force shall be—

(A) to identify opportunities to formalize coordination between the Department of Veterans Affairs, public land agencies, and partner organizations regarding the use of public lands or other outdoor spaces for medical treatment and recreational therapy for veterans;

(B) to identify barriers that exist to providing veterans with opportunities for medical treatment and therapy through the use of outdoor recreation on public lands or other outdoor spaces; and

(C) to develop recommendations to better facilitate the use of public lands or other outdoor spaces for preventative care, medical treatment, and therapy for veterans.

(2) CONSULTATION.—The Task Force shall carry out the duties under paragraph (1) in consultation with appropriate veterans outdoor recreation groups.

(e) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 180 days after the date on which the Task Force is established, the Chairpersons shall submit to Congress a report on the preliminary findings of the Task Force.

(2) FINAL REPORT.—Not later than one year after the date of the submittal of the preliminary report under paragraph (1), the Chairpersons shall submit to Congress a report on the findings of the Task Force, which shall include the recommendations developed under subsection (d)(1)(C).

(f) DURATION.—The Task Force shall terminate on the date that is one year after the date of the submittal of the final report under in subsection (e)(2).

(g) DEFINITIONS.—In this section:

(1) The term ''public lands'' means any recreational lands under the jurisdiction of the Federal Government or a State or local government.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SA 2456. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. DESIGNATION OF SENIOR CLIMATE ADVISOR FOR DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 146. Senior Climate Advisor

''(a) IN GENERAL.—The Secretary of Defense shall designate an official on the staff of the Office of the Secretary to serve as the Senior Climate Advisor for the Department of Defense.

''(b) RESPONSIBILITIES.—The Senior Climate Advisor designated under subsection (a) shall be responsible for the following:

''(1) Coordinating guidance of the Secretary of Defense related to climate security across the Department of Defense.

''(2) Monitoring the integration of climate security into budget processes of the Department.

''(3) Coordinating the integration of climate security into the National Defense Strategy, the National Military Strategy, the Defense Planning Guidance, and other strategic documents of the Department.

''(4) Facilitating the integration of key scientific inputs related to climate security across the Department.

''(5) Tracking progress of the Department toward climate security goals and monitoring compliance of the Department with climate security guidance.

''(6) Serving as a key point of contact on climate security for other Federal agencies.

''(c) SENIORITY.—The Senior Climate Advisor designated under subsection (a) shall be a member of the Senior Executive Service.

''(d) BRIEFING.—Not later than 180 days after the date of the enactment of this section, and annually thereafter, the Senior Climate Advisor designated under subsection (a) shall provide to the congressional defense committees a briefing summarizing the activities carried out under this section.

''(e) DEFINITIONS.—In this section:

''(1) The term 'climate security' means the effects of climate change on—

''(A) infrastructure;

''(B) training;

''(C) operations;

''(D) planning;

''(E) posture;

''(F) strategy;

''(G) support to civil authorities;

''(H) humanitarian assistance and disaster response;

''(I) ally and partner readiness and resiliency;

''(J) national, subnational, and regional political stability; and

''(K) intrastate and interstate conflict.

''(2) The term 'the effects of climate change' means—

''(A) the intensification and frequency of droughts, floods, wildfires, tropical storms, 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 affect critical geostrategic waterways, such as the Arctic Ocean, the South China Sea, the South Pacific Ocean, the Barents Sea, and the Beaufort Sea.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

''146. Senior Climate Advisor.''.

SA 2457. Mr. MERKLEY (for himself, Mr. WYDEN, Mr. MURPHY, Mr. SANDERS, Mr. VAN HOLLEN, Mr. MARKEY, Ms. HARRIS, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. MURRAY, Mr. BROWN, Mr. DURBIN, Ms. CANTWELL, Ms. BALDWIN, Mr. KING, Ms. HIRONO, Mr. HEINRICH, Ms. KLOBUCHAR, Ms. WARREN, Ms. DUCKWORTH, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. ___. LIMITATION ON USE OF FEDERAL LAW ENFORCEMENT OFFICERS FOR CROWD CONTROL.

(a) DEFINITIONS.—In this section—

(1) the term ''Federal law enforcement officer'' means—

(A) an employee or officer in a position in the executive, legislative, or judicial branch of the Federal Government who is authorized by law to engage in or supervise a law enforcement function; or

(B) an employee or officer of a contractor or subcontractor (at any tier) of an agency in the executive, legislative, or judicial branch of the Federal Government who is authorized by law or under the contract with the agency to engage in or supervise a law enforcement function;

(2) the term ''law enforcement function'' means the prevention, detection, or investigation of, or the prosecution or incarceration of any person for, any violation of law; and

(3) the term ''member of an armed force'' means a member of any of the armed forces,

as defined in section 101(a)(4) of title 10, United States Code, or a member of the National Guard, as defined in section 101(3) of title 32, United States Code.

(b) REQUIRED IDENTIFICATION.—

(1) IN GENERAL.—Each Federal law enforcement officer or member of an armed force who is engaged in any form of crowd control, riot control, or arrest or detainment of individuals engaged in an act of civil disobedience, demonstration, protest, or riot in the United States shall at all times display identifying information in a clearly visible fashion, which shall include the Federal agency and the last name or unique identifier of the Federal law enforcement officer or for a member of an armed force, the last name or unique identifier and rank of the member.

(2) SPECIFIC PROHIBITIONS.—

(A) COVERING OF IDENTIFYING INFORMATION.—A Federal law enforcement officer or member of an armed force may not tape over or otherwise obscure or conceal the identifying information required under paragraph (1) while the officer or member is engaged in any form of law enforcement activity described in paragraph (1).

(B) USE OF UNMARKED VEHICLES.—A Federal law enforcement officer or member of an armed force may not use an unmarked vehicle for the apprehension, detention, or arrest of civilians while the officer or member is engaged in any form of law enforcement activity described in paragraph (1).

(c) LIMITATION ON CROWD CONTROL AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), a Federal law enforcement officer or member of an armed force may only be authorized to perform any form of crowd control, riot control, or arrest or detainment of individuals engaged in an act of civil disobedience, demonstration, protest, or riot on Federal property or in the immediate vicinity thereof, which shall include the sidewalk and the public street immediately adjacent to any Federal building or property.

(2) EXCEPTIONS.—

(A) STATE AND LOCAL REQUEST FOR ASSISTANCE.—Paragraph (1) shall not apply to a Federal law enforcement officer or member of an armed force if the Governor of a State and the head of a unit of local government jointly request, in writing, Federal law enforcement support.

(B) INSURRECTION ACT.—If chapter 13 of title 10, United States Code (commonly known as the ''Insurrection Act of 1807'') is invoked, paragraph (1) shall not apply.

(d) LIMITATION ON ARREST AUTHORITY.—It shall be unlawful for a Federal law enforcement officer or member of an armed force to arrest an individual in the United States if the Federal law enforcement officer or member of an armed force is conducting a law enforcement function in violation of subsection (b) or (c).

(e) NOTICE TO THE PUBLIC.—Not later than 24 hours after deployment of a Federal law enforcement officer or member of an armed force in response to any crowd control incident, riot, or public disturbance, the Federal agency or armed force responsible for such deployment shall publish prominent public notice on that public facing website of the agency or armed force that includes the following information:

(1) The date of deployment of personnel for crowd control purposes.

(2) The number of Federal law enforcement officers of the agency or members of the armed force in each city, town, or locality functioning in a law enforcement capacity.

(3) A description of the specific nature of the mission.

(4) The location of any civilians being detained by the Federal law enforcement officers or members of the armed force deployed, and under whose custody the civilians are being held.

(5) A copy of a written request for assistance described in subsection (c)(2)(A), if such request was made.

SA 2458. Ms. MCSALLY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. _____. AMENDMENTS TO TITLE 46.

(a) IN GENERAL.—Chapter 303 of title 46, United States Code, is amended—

(1) by redesignating section 30308 as section 30309; and

(2) by inserting after section 30307 the following:

''§ 30308. Death of a member of the Armed Forces from a collision on the high seas.

''(a) DEFINITION.—In this section, the term 'nonpecuniary damages' means damages for loss of care, comfort, or companionship.

''(b) MEMBERS OF THE ARMED FORCES.—In an action under this chapter, if the death of a member of the Armed Forces resulted from a collision occurring on the high seas beyond 12 nautical miles from the shore of the United States while the decedent was serving physically on board a United States military vessel, the personal representative of the decedent may bring a civil action in admiralty or at law against the person or vessel responsible. The action shall be for the exclusive benefit of the decedent's spouse, parent, child, dependent relative, or estate. Compensation is recoverable for nonpecuniary and pecuniary damages.

''(c) JURY TRIAL.—A claim under this section may be tried with a jury.

''(d) GOVERNING LAW.—In an action under this section, the maritime law of the United States shall apply.

''(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) affect the immunity of the United States or a State from tort-based claims; or

''(2) allow a civil action to be brought against a member of the Armed Forces.

''(f) EFFECTIVE DATE.—This section shall apply to any death occurring after January 1, 2017.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended—

(1) by redesignating the item relating to section 30308 as the item relating to section 30309; and

(2) by inserting after the item relating to section 30307 the following:

''30308. Death of a member of the Armed Forces from a collision on the high seas.''.

SA 2459. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 VIII, add the following:

SEC. 847. REQUIREMENT TO AWARD CONTRACTS UNDER COMMERCIAL E-COMMERCE PORTAL PROGRAM.

(a) ACCELERATED AWARDING OF CONTRACTS.—Section 846(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note) is amended by adding at the end the following: ''Not later than July 31, 2021, the Administrator shall award contracts under the program to not fewer than 10 commercial providers, including both e-marketplace providers that do not sell their own products on their platforms and e-commerce providers. The Administrator may waive the requirement in the preceding sentence for up to 30 days at a time upon submitting to the appropriate congressional committees a certification that compliance with such requirement is not feasible, including a description of efforts to comply with such requirement and an explanation why, despite such efforts, compliance is not feasible.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 31, 2021, the Administrator of General Services shall submit to the appropriate congressional committees a report describing how the General Services Administration will implement paragraph (3) of section 846(h) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note), as added by section 838(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1876).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

SA 2460. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. SENSE OF SENATE ON USE OF DIESEL OUTBOARD MARINE MOTORS BY DEPARTMENT OF DEFENSE.

It is the sense of the Senate that—

(1) in order to comply with directive 4140.43 of the Department of Defense, which provides that fuel standardization is required to minimize the number and complexity of petroleum fuels required outside the continental United States, it is essential for the Department—

(A) to phase out the use of light gasoline-fueled outboard marine motors and replace them with diesel-fueled outboard marine motors meeting military standards and specifications; and

(B) to design new equipment designated for shipment overseas to use diesel fuel rather than gasoline-type fuels;

(2) reliable diesel-fueled alternatives to traditional outboard marine motors are now

readily available for military use and have been tested and evaluated through the Affordable Multi-fuel Multi-engine Advanced Combatant Craft Rapid Innovation Funding Project carried out by the Department of the Navy in fiscal year 2015; and

(3) the Secretary of Defense is encouraged—

(A) to establish operational military standards and specifications for deployment of diesel-fueled outboard motors that are informed by the innovation funding project described in paragraph (2); and

(B) to begin the process of phasing out light gasoline-fueled outboard marine motors and replacing them with diesel-fueled outboard marine motors meeting military standards and specifications.

SA 2461. Mr. REED submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. _____. EXTENSION OF PERIOD FOR ADJUSTMENT OF STATUS FOR CERTAIN LIBERIAN NATIONALS.

Section 7611(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''1 year'' and inserting ''2 years''.

SA 2462. Mr. VAN HOLLEN (for himself and Mr. BLUNT) 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. 553. EXTENSION OF PERIOD OF REVIEW OF WORLD WAR I VALOR MEDALS.

Section 584(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1413; 10 U.S.C. 7271 note) is amended by striking ''not later than five years after the date of the enactment of this Act'' and inserting ''not later than December 20, 2026''.

SA 2463. Mr. VAN HOLLEN (for himself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. UDALL, Mr. COONS, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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____. REQUIREMENTS RELATING TO THE NEW START TREATY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should extend until February 2026 the New START Treaty unless the President determines and notifies the appropriate committees of Congress that—

(A) the Russian Federation is in material breach of the New START Treaty; or

(B) the United States and the Russian Federation have entered into a new arms control agreement to replace the New START Treaty that provides equal or greater constraints, transparency, and verification measures with respect to the nuclear forces of the Russian Federation;

(2) extending the New START Treaty would facilitate efforts by the United States to pursue additional arms control measures with the Russian Federation, including measures to address nonstrategic nuclear weapons and long-range strategic delivery systems of the Russian Federation that are under development and not covered by the New START Treaty;

(3) the United States should pursue more frequent bilateral and multilateral talks on nuclear risk reduction and arms control measures to address a changing global strategic environment; and

(4) an extension of the New START Treaty would facilitate efforts by the United States to limit the size and growth of the nuclear arsenal of the People's Republic of China.

(b) CERTIFICATIONS IN THE ABSENCE OF EXTENSION OF THE NEW START TREATY.— In the case of the expiration of the New START Treaty in the absence of a new arms control agreement between the United States and the Russian Federation to replace the New START Treaty that provides equal or greater constraints, transparency, and verification measures with respect to the nuclear forces of the Russian Federation, on the date of such expiration, the President shall submit to the appropriate committees of Congress a justification for having allowed the New START Treaty to expire.

(c) REPORTS.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE REPORT ON PEOPLE'S REPUBLIC OF CHINA NUCLEAR FORCES.—

(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 appropriate committees of Congress a report on the size and posture of the strategic nuclear forces of the People's Republic of China.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following elements:

(i) An assessment of the size, force structure, and operational status of the long-range nuclear-capable delivery vehicles of the People's Republic of China that meet the definition of systems counted under the New START Treaty.

(ii) The number of nuclear warheads possessed by the Government of the People's Republic of China.

(iii) A description of the efforts of the Government of the People's Republic of China to modernize and modify its nuclear force structure.

(iv) A description of the potential changes to the nuclear force structure and posture of the People's Republic of China if the United States and the Russian Federation are no longer bound by the limits in the New START Treaty.

(C) FORM.—The report required by subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(2) SECRETARY OF STATE BRIEFING ON THE PEOPLE'S REPUBLIC OF CHINA NUCLEAR FORCES.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall provide a briefing to the appropriate committees of Congress that includes the following:

(A) A description of any discussion with the Government of the People's Republic of China on the New START Treaty or a similar agreement on the reduction and limitation of strategic offensive weapons at the Assistant Secretary, Ambassadorial level or higher.

(B) The date, location, discussion topic, and name of Chinese individuals involved in any such discussion.

(C) An identification of the United States Government departments and agencies involved in any such discussion.

(D) The types of delivery systems, including nuclear and nonnuclear delivery systems, discussed by the Government of the United States or the Government of the People's Republic of China as the potential subjects of an agreement in any such discussion.

(3) UNITED STATES NUCLEAR FORCE STRUCTURE.—

(A) IN GENERAL.—Not later than June 5, 2021, in the case of the expiration of the New START Treaty or a termination under Article XIV of the Treaty, the Secretary of Defense and the Administrator of the National Nuclear Security Administration, in coordination with the Secretary of the Navy, the Secretary of the Air Force, and the Commander of the United States Strategic Command, shall submit to the appropriate committees of Congress a report on changes to the predicted nuclear force structure of the United States in the absence of New START Treaty limits.

(B) ELEMENTS.—The report required under subparagraph (A) shall include the following:

(i) The information required to be submitted in the report required by section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576).

(ii) A description of the size, composition, and posture of the alternative nuclear force structures of the United States through February 2026 necessary for meeting the objectives of nuclear deterrence, extended deterrence, assurance of allies, and defense for each of the following potential scenarios:

(I) The Russian Federation is increasing its strategic nuclear forces above New START Treaty limits in a militarily significant way.

(II) The Russian Federation is increasing its strategic nuclear forces above New START Treaty limits but not in a militarily significant way.

(III) The Russian Federation is staying below New START Treaty limits.

(iii) With respect to the description for each potential scenario described in clause (ii), the following:

(I) A description of deployed and non-deployed intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers (as defined in the New START Treaty).

(II) The types and number of warheads for each deployed delivery vehicle described in subparagraph (I).

(III) The number of non-deployed and retired warheads.

(IV) A description of changes necessary to increase United States nuclear forces above the central limits of the New START Treaty, including—

(aa) the manner in which each military department plans to implement such changes, including an implementation schedule and associated key decision points; and

(bb) a description of the associated costs, the technical and operational implications,

and impact of such changes on nuclear modernization program costs and timelines.

(d) PROHIBITIONS ON INCREASE IN CERTAIN WARHEADS AND DEPLOYED DELIVERY VEHICLES.—

(1) WARHEADS.—In the case of the expiration of the New START Treaty or a termination under Article XIV of the Treaty, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be obligated or expended to increase above 1,550 the number of deployed warheads on launchers for intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers, consistent with the counting rules of the New START Treaty, unless each of the following conditions are met:

(A) Not less than 120 days before the planned date of such deployment, the President submits to the appropriate committees of Congress—

(i) a description of the type and number of warheads to be added to the deployed force;

(ii) a description of the type and number of delivery systems on which each warhead described in subparagraph (A) is deployed;

(iii) a certification by the Commander of the United States Strategic Command, in coordination with the Secretary of Defense and the Secretary of State, that the added warheads are necessary for meeting United States targeting requirements and objectives with respect to nuclear deterrence, extended deterrence, assurance of allies, and defense;

(iv) a description of the associated costs, the technical and operational implications, and impact of such deployment on nuclear modernization program costs and timelines;

(v) a justification with respect to the strategic and threat environments that necessitate such deployment; and

(vi) an assessment of the likely political and military responses and countermeasures by the Russian Federation and People's Republic of China to such deployment, including the strategic and threat implications of such responses and countermeasures.

(B) Not less than 120 days before the planned date of such deployment, the Director of National Intelligence submits to the appropriate committees of Congress an assessment described in paragraph (3).

(C) On or after the date on which the reports described in subparagraphs (A) and (B) are submitted, Congress has adopted, and there is enacted, a joint resolution stating that Congress approves such deployment.

(2) DEPLOYED DELIVERY SYSTEMS.—In the case of the expiration of the New START Treaty or a termination under Article XIV of the Treaty, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be obligated or expended to increase above 700 the number of intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers that count as deployed under the terms of the New START Treaty unless each of the following conditions are met:

(A) Not less than 120 days before the planned date of such deployment, the President submits to the appropriate committees of Congress—

(i) a description of the type and number of delivery systems to be added to the deployed force;

(ii) a description of the necessary changes to the composition of deployed intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers with respect to the deployment described in clause (i);

(iii) a description of the number and types of warheads added to the deployed force for each delivery system described in clause (ii);

(iv) a certification by the Commander of the United States Strategic Command, in coordination with the Secretary of Defense, that the added launchers are necessary for meeting United States targeting requirements and objectives with respect to nuclear deterrence, extended deterrence, assurance of allies, and defense;

(v) a description of the associated costs, the technical and operational implications and impact of such deployment on nuclear modernization program costs and timelines;

(vi) a justification with respect to the strategic and threat environments that necessitate such deployment; and

(vii) an assessment of the likely political and military responses and countermeasures by the Russian Federation and People's Republic of China to such deployment, including the strategic and threat implications of such responses and countermeasures.

(B) Not less than 120 days before the planned date of such deployment, the Director of National Intelligence submits to the appropriate committees of Congress the assessment described in paragraph (3).

(C) On or after the date on which the reports described in subparagraphs (A) and (B) are submitted, Congress has adopted, and there is enacted, a joint resolution stating that Congress approves such deployment.

(3) DIRECTOR OF NATIONAL INTELLIGENCE ASSESSMENT.—

(A) IN GENERAL.—The assessment described in this paragraph is an assessment of the size, composition, and posture of the strategic nuclear forces of the Russian Federation.

(B) ELEMENTS.— An assessment described in this paragraph shall include the following:

(i) An assessment of the size, composition, and posture of deployed and non-deployed intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers (as defined in the New START Treaty) of the Russian Federation.

(ii) An assessment of the number of deployed warheads on the intercontinental ballistic missiles, submarine-launched ballistic missiles, and heavy bombers of the Russian Federation, consistent with the counting rules under the New START Treaty.

(C) FORM.—An assessment described in this paragraph shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) NEW START TREATY; TREATY.—The terms ''New START Treaty'' and ''Treaty'' mean the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

SA 2464. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 1532(d)(2), strike subparagraph (B) and insert the following:

(B) by striking ''as the Inspector General considers appropriate'' and inserting ''as appropriate''; and

In section 1532, in the new paragraph (1) of section 1229(n) of the National Defense Authorization Act for Fiscal Year 2008 (5 U.S.C. app. 8G note), as redesignated and amended by subsections (f)(1) and (j), respectively, of such section 1532, strike subparagraph (F) and insert the following:

''(F) The Afghanistan Security Forces Fund.

''(G) Any fund administered by a multilateral or international organization or a foreign government, including the Government of Afghanistan, that receives United States funding designated for the reconstruction of Afghanistan.

''(H) The United States International Development Finance Corporation.

''(I) The Non-Proliferation, Anti-Terrorism, Demining, and Related Programs account.

''(J) Accounts administered by the Drug Enforcement Agency and the Department of Justice.

''(K) Department of Agriculture programs.

''(L) The Bureau of Educational and Cultural Affairs of the Department of State.

''(M) The International Development Finance Corporation.''.

In section 1532, strike paragraph (3) of section 1229(p) of the National Defense Authorization Act for Fiscal Year 2008 (5 U.S.C. app. 8G note), as redesignated and amended by subsections (f)(1) and (k), respectively, of such section 1532.

SA 2465. Mr. CRAPO (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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, insert the following:

SEC. 1287. MODIFICATIONS TO EXPORT CONTROL LAWS.

(a) EXPORT CONTROL REFORM ACT OF 2018.—The Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.) is amended—

(1) in section 1753(a)(2)(F) (50 U.S.C. 4812(a)(2)(F)), by striking ''foreign military intelligence services'' and inserting ''foreign national militaries, intelligence services, or police'';

(2) in section 1754 (50 U.S.C. 4813)—

(A) by striking subsection (b);

(B) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively; and

(C) in subsections (d) and (e), as redesignated by subparagraph (B), by striking ''subsection (d)'' each place it appears and inserting ''subsection (c)'';

(3) in section 1758 (50 U.S.C. 4817)—

(A) in subsection (b)(4), by striking subparagraph (A) and inserting the following:

''(A) MANDATORY EXCEPTIONS.—The Secretary may not control under this subsection the export of any technology if the regulation of the export of that technology is prohibited under any provision of law.'';

(B) by striking subsection (e); and

(C) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively;

(4) in section 1760(a)(3) (50 U.S.C. 4819(a)(3)), by inserting ''and any other relevant agency'' after ''notify the Department of Commerce'';

(5) in section 1761(h) (50 U.S.C. 4820(h))—

(A) in paragraph (1)(A), by inserting ''requested or'' after ''Information''; and

(B) in paragraph (3), by adding at the end the following:

''(E) DISCLOSURE OF INFORMATION.—Except as provided in this paragraph, information described in subparagraph (B) of paragraph (1) obtained in the administration or enforcement of export controls under the licensing jurisdiction of the Department of Commerce may not be disclosed by a Federal agency other than the Department of Commerce unless the release of such information is determined by the Secretary to be in the national interest under subparagraph (A) of that paragraph.'';

(6) in section 1765(a)(8) (50 U.S.C. 4824(a)(8)), by striking ''section 1759'' and inserting ''section 1758'';

(7) in section 1768(c) (50 U.S.C. 4826(c)), by striking ''section 1754(c)'' each place it appears and inserting ''section 1754(b)'';

(8) in section 1773(b)(1) (50 U.S.C. 4842(b)(1))—

(A) by striking ''section 1752(1)(D)'' and inserting ''section 1752(2)(D)''; and

(B) by striking ''this section'' and inserting ''section 1772''; and

(9) in section 1774(a) (50 U.S.C. 4843(a)), in the matter preceding paragraph (1), by inserting ''described in'' after ''unlawful act''.

(b) CONFORMING AMENDMENT TO INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)) is amended by striking ''section 5 of the Export Administration Act of 1979'' and all that follows through ''antiterrorism policies of the United States'' and inserting ''section 1753 of the Export Control Reform Act of 2018 (50 U.S.C. 4812) to the extent that such controls promote the national security or foreign policy of the United States as set forth in section 1752 of that Act (50 U.S.C. 4811)''.

(c) REPEAL OF EXPORT CONTROLS ON HIGH PERFORMANCE COMPUTERS.—Subtitle B of title XII of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. 4604 note) is repealed.

(d) REPEAL OF REPORT ON CERTAIN EXPORT LICENSES.—Section 1503 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 579) is amended by striking ''*Provided further,* That not more'' and all that follows through ''such items:''.

(e) REPEAL OF REPORTS ON STATE SPONSORS OF TERRORISM.—Section 906 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7205) is amended—

(1) by striking subsections (b) and (c);

(2) by striking ''(a) REQUIREMENT.—'';

(3) by redesignating paragraphs (1) and (2) as subsections (a) and (b), respectively, and by moving such subsections, as so redesignated, 2 ems to the left;

(4) in subsection (a), as redesignated by paragraph (3), by striking ''section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1))'' and inserting ''section 1754(b)(1)(A)(i) of the Export Control Reform Act of 2018''; and

(5) in subsection (b), as so redesignated, by striking ''Paragraph (1)'' and inserting ''Subsection (a)''.

SA 2466. Mr. LANKFORD (for himself, Ms. SINEMA, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. ___. TELEWORK TRAVEL EXPENSES PROGRAM OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

(a) IN GENERAL.—Section 5711 of title 5, United States Code, is amended—

(1) in the section heading, by striking ''**test**'';

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''committee'' and inserting ''committees''; and

(ii) in subparagraph (B), by striking ''Government'';

(B) in paragraph (2)—

(i) by striking ''test''; and

(ii) by striking ''section , including the provision of reports in accordance with subsection (d)(1)'' and inserting ''subsection'';

(C) in paragraph (4)(B), in the matter preceding clause (i), by inserting ''and maintain'' after ''develop''; and

(D) in paragraph (5)—

(i) in subparagraph (A), by striking ''test''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) The Director of the Patent and Trademark Office shall prepare and submit to the appropriate committees of Congress an annual report on the operation of the program under this subsection, which shall include—

''(i) the costs and benefits of the program; and

''(ii) an analysis of the effectiveness of the program, as determined under criteria developed by the Director.''; and

(3) in subsection (g), by striking ''this section'' and inserting ''subsection (b)''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for subchapter I of chapter 57 of title 5, United States Code, is amended by striking the item relating to section 5711 and inserting the following:

''5711. Authority for telework travel expenses programs.''.

SA 2467. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 XII, insert the following:

SEC. 1274. REPORT ON THREATS TO THE UNITED STATES ARMED FORCES FROM THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate committees of Congress a report on threats to the United States Armed Forces from the Russian Federation and associated agents, entities, and proxies.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of threats to the United States Armed Forces from the Russian Federation and associated agents, entities, and proxies in all theaters in which the United States Armed Forces are engaged.

(2) A description of all actions taken to ensure force protection of the United States Armed Forces and United States diplomats.

(3) A description of nonmilitary actions taken to emphasize to the Russia Federation that the United States will not tolerate threats to the United States Armed Forces, allies of the United States, or United States diplomats or operations.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2468. Mr. MENENDEZ (for himself 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 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. _____. SUBMISSION OF DATA RELATING TO DIVERSITY BY ISSUERS.

Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

''(s) SUBMISSION OF DATA RELATING TO DIVERSITY.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'executive officer' has the meaning given the term in section 230.501 of title 17, Code of Federal Regulations, as in effect on the date of enactment of this subsection; and

''(B) the term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.

''(2) SUBMISSION OF DISCLOSURE.—Each issuer required to file an annual report under subsection (a) shall disclose in any proxy statement relating to the election of directors, and in any information statement that so relates, that is filed with the Commission the following:

''(A) Data, based on voluntary self-identification, on the racial, ethnic, and gender composition of—

''(i) the board of directors of the issuer;

''(ii) nominees for the board of directors of the issuer; and

''(iii) the executive officers of the issuer.

''(B) The status, based on voluntary self-identification, of any member of the board of directors of the issuer, any nominee for the board of directors of the issuer, or any executive officer of the issuer as a veteran.

''(C) Whether the board of directors of the issuer, or any committee of that board of directors, has, as of the date on which the issuer makes a disclosure under this paragraph, adopted any policy, plan, or strategy

to promote racial, ethnic, and gender diversity among—

''(i) the board of directors of the issuer;

''(ii) nominees for the board of directors of the issuer; or

''(iii) the executive officers of the issuer.

''(3) ALTERNATIVE SUBMISSION.—In any 1-year period in which an issuer required to file an annual report under subsection (a) does not file with the Commission a proxy statement or information statement described in paragraph (2), the issuer shall disclose the information required under that paragraph in the first annual report of the issuer that the issuer submits to the Commission after the end of that 1-year period.

''(4) BEST PRACTICES.—

''(A) IN GENERAL.—Not later than 3 years after the date of enactment of this subsection, and once every 3 years thereafter, the Director of the Office of Minority and Women Inclusion of the Commission (referred to in this paragraph as the 'Director'), in consultation with the advisory council established under subparagraph (C), shall publish best practices with respect to compliance with this subsection.

''(B) COMMENTS.—The Director may, pursuant to subchapter II of chapter 5 of title 5, United States Code, solicit public comments relating to the best practices published under subparagraph (A).

''(C) ADVISORY COUNCIL.—The Director shall, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), establish an advisory council that shall—

''(i) include issuers and investors; and

''(ii) advise the Director with respect to the best practices published under subparagraph (A).''.

SA 2469. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. 128_. OVERSIGHT OF EXPORT OF SILENCERS TO PROTECT AMERICAN SOLDIERS AND NATIONALS ABROAD.

(a) IN GENERAL.—Any proposed license to export firearms silencers, mufflers, and sound suppressors to any foreign nongovernmental person, group, or organization may not be issued until after the proposed license is submitted to Congress for review and certification in accordance with section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)), regardless of the dollar value of the proposed export.

(b) SECRETARY OF STATE DETERMINATION.—

(1) IN GENERAL.—The license referred to in subsection (a) may not be issued unless the Secretary of State—

(A) determines that the proposed export does not pose a risk for the retransfer of the items referred to in such subsection to foreign persons, including terrorists, terrorist groups, insurgent groups, criminals or criminal organizations; and

(B) submits a report to Congress that sets forth the reasons for, and the information supporting, such determination.

(2) FORM OF REPORT.—The report required under paragraph (1)(B) shall be unclassified and shall be made available to the public to the maximum extent possible, but may include a classified annex.

SA 2470. 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. ____. NATIONAL SUPPLY CHAIN DATABASE.

(a) ESTABLISHMENT OF NATIONAL SUPPLY CHAIN DATABASE.—The Director of the National Institute of Standards and Technology (referred to in this Act as the ''NIST'') shall establish a National Supply Chain Database that will assist the Nation in minimizing disruptions in the supply chain by having an assessment of United States manufacturers' capabilities.

(b) CONNECTIONS WITH STATE MANUFACTURING EXTENSION PARTNERSHIPS.—

(1) IN GENERAL.—The infrastructure for the National Supply Chain Database shall be created through the Hollings Manufacturing Extension Partnership (MEP) program of the National Institute of Standards and Technology by connecting the Hollings Manufacturing Extension Partnerships Centers through the National Supply Chain Database.

(2) NATIONAL VIEW.—The connection provided through the National Supply Chain Database shall provide a national view of the supply chain and enable the National Institute of Standards and Technology to understand whether there is a need for some manufacturers to retool in some key areas to meet the need of urgent products, such as defense supplies, food, and medical devices, including personal protective equipment.

(3) INDIVIDUAL STATE DATABASES.—Each State's supply chain database maintained by the NIST- recognized Manufacturing Extension Partnership Center within the State shall be complementary in design to the National Supply Chain Database.

(c) MAINTENANCE OF NATIONAL SUPPLY CHAIN DATABASE.—The Hollings Manufacturing Extension Partnership program or its designee shall maintain the National Supply Chain Database as an integration of the State level databases from each State's Manufacturing Extension Partnership Center and may be populated with information from past, current, or potential Center clients.

(d) DATABASE CONTENT.—

(1) IN GENERAL.—The National Supply Chain Database may—

(A) provide basic company information;

(B) provide an overview of capabilities, accreditations, and products;

(C) contain proprietary information; and

(D) include other items determined necessary by the Director of the NIST.

(2) SEARCHABLE DATABASE.—The National Supply Chain Database shall use the North American Industry Classification System (NAICS) Codes as follows:

(A) Sector 31-33 – Manufacturing.

(B) Sector 54 – Professional, Scientific, and Technical Services.

(C) Sector 48-49 – Transportation and Warehousing.

(3) LEVELS.—The National Supply Chain Database shall be multi-leveled as follows:

(A) Level 1 shall have basic company information and shall be available to the public.

(B) Level 2 shall have a deeper overview into capabilities, products, and accreditations and shall be available to all companies that contribute to the database and agree to terms of mutual disclosure.

(C) Level 3 shall hold proprietary information.

(4) EXEMPT FROM PUBLIC DISCLOSURE.—The National Supply Chain Database and any information related to it not publicly released by NIST shall be exempt from public disclosure under section 552 of title 5, United States Code, and access to non-public content shall be limited to the contributing company and Manufacturing Extension Partnership Center staff who sign an appropriate non-disclosure agreement.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 for fiscal year 2021 to develop and launch the National Supply Chain Database.

SA 2471. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. DEPARTMENT OF DEFENSE NATIONAL IMPERATIVE FOR INDUSTRIAL SKILLS PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense shall carry out and accelerate the Department of Defense National Imperative for Industrial Skills Program within the Industrial Base Analysis and Sustainment (IBAS) Office to evaluate and further develop workforce development training programs for training the skilled industrial workers needed in the defense industrial base.

(2) PRIORITIES.—In carrying out the program, the Secretary shall prioritize—

(A) innovative training programs that can rapidly train skilled workers for placement in the defense industrial base faster than traditional training programs and at the scale needed to measurably reduce, as rapidly as possible, the manpower shortages that currently exist; and

(B) training programs that can address the specific manufacturing requirements and skills that are unique to critical industrial sectors of the defense industrial base, such as naval shipbuilding.

(b) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated for the Department of Defense for fiscal year 2021 for Research, Development, Test, and Evaluation, Defense-wide and available for Industrial Base Analysis and Sustainment Support is increased by $7,500,000, with the amount of such increase to be available for pilot projects carried out pursuant to subsection (a).

(2) OFFSET.—The amount authorized to be appropriated for the Department of Defense for fiscal year 2021 for Operation and Maintenance, Army and available for SAG 421 Servicewide Transportation is reduced by $7,500,000.

SA 2472. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. EFFORTS TO MEDIATE GRAND ETHIOPIAN RENAISSANCE DAM DISPUTE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) an equitable outcome of negotiations over the future of the Grand Ethiopian Renaissance Dam that promotes sustainable economic, energy, and agricultural development is in the best interest of regional actors as well as United States interests in East and North Africa; and

(2) the Department of State's diplomatic corps should lead interagency United States Government efforts to facilitate negotiations and engage with regional actors in support of a solution.

(b) REPORT.—Not later than 10 days after the date of the enactment of this Act, and every 30 days thereafter, the Secretary of State shall submit to Congress a report including—

(1) a description of the status of United States efforts to mediate the dispute over the Grand Ethiopian Renaissance Dam, including diplomatic actions taken over the previous 180 days to support a settlement;

(2) a description of the outcome of African Union and other initiatives to facilitate an agreement among Egypt, Ethiopia, and Sudan;

(3) the United States Government diplomatic strategy to encourage an agreement and mitigate the risks that a failure to reach an agreement poses for the three countries and the region; and

(4) an analysis prepared by the Bureau of Intelligence and Research, in classified form as necessary, of—

(A) the effectiveness of United States efforts to facilitate negotiations to date;

(B) the perceptions within Egypt, Ethiopia, and Sudan of United States efforts to facilitate negotiation; and

(C) potential triggers for conflict.

(c) LIMITATION ON WITHHOLDING OF FUNDS.—The Secretary of State may not withhold any United States assistance to Egypt, Ethiopia, or Sudan until 60 days after notifying the appropriate congressional committees of the decision to withhold such funds.

SA 2473. Mr. PETERS (for himself, Mr. PORTMAN, Mr. KING, and Mr. SASSE) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 division A, insert the following:

TITLE XVII—ASSESSING A CYBER STATE OF DISTRESS ACT OF 2020

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Assessing a Cyber State of Distress Act of 2020''.

SEC. 1702. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security and the Committee on Oversight and Reform of the House of Representatives.

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given the term in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e)).

(3) CYBER RESPONSE AND RECOVERY FUND.—The term ''Cyber Response and Recovery Fund'' means a fund intended to support the response and recovery from a significant cyber incident, the disbursement of which may be triggered by a declaration of a cyber state of distress.

(4) CYBER STATE OF DISTRESS.—The term ''cyber state of distress'' means a state of distress that—

(A) begins with a Federal declaration; and

(B) triggers additional financial and material assistance in responding to significant cyber incidents.

(5) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

SEC. 1703. ASSESSMENT OF CYBER STATE OF DISTRESS.

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Homeland Security, in consultation with the head of any agency or non-Federal entity determined appropriate by the Secretary, shall conduct an assessment of the feasibility and advisability of establishing an authority for the declaration of a cyber state of distress.

(b) ELEMENTS.— The assessment required under subsection (a) shall include—

(1) a review of recommendations developed by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2146); and

(2) the development of additional recommendations relating to—

(A) the determinations that the Secretary should make and any other actions that should be taken before the Secretary is authorized to declare or renew a cyber state of distress, including whether the declaration or any renewal should require congressional oversight or approval;

(B) the definition of the term ''significant cyber incident'', which shall include a consideration of the threat and scope or magnitude of the impact of such an incident;

(C) the authority for the coordination, including the extent and type of coordination, of the response of—

(i) Federal, State, local, and Tribal governments, including the National Guard; and

(ii) private entities;

(D) the appropriate duration of a cyber state of distress and any renewal of a cyber state of distress;

(E) whether there should be a limitation on the number of renewals of a cyber state of distress, with or without congressional oversight or approval;

(F) the interaction, duplication, coordination, and deconfliction of—

(i) authorities or functions for the preparation for, response to, or recovery from a significant cyber incident that the Secretary of Homeland Security recommends granting or assigning under this paragraph; and

(ii) existing authorities or functions established by law or policy that may relate to preparing for, responding to, or recovery from a significant cyber incident, including under —

(I) the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(II) the National Emergencies Act (50 U.S.C. 1601 et seq.);

(III) continuity of government plans;

(IV) other national disaster plans; and

(V) any other Federal authority the Secretary of Homeland Security determines appropriate;

(G) appropriate exemptions from applicable legal requirements necessary to facilitate activities during a cyber state of distress;

(H) the scope of any allowable activities—

(i) in preparation for a declaration of a cyber state of distress;

(ii) during a cyber state of distress; or

(iii) immediately following the termination of the cyber state of distress;

(I) the scope of any other interaction between Federal entities and between Federal and non-Federal entities; and

(J) any other aspects of a cyber state of distress that the Secretary of Homeland Security determines relevant.

SEC. 1704. ASSESSMENT OF CYBER RESPONSE AND RECOVERY FUND.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall conduct an assessment of the feasibility and advisability of establishing a Cyber Response and Recovery Fund.

(b) ELEMENTS.—The assessment required under subsection (a) shall include—

(1) a review of recommendations developed by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2146); and

(2) the development of additional recommendations relating to—

(A) the administration of a Cyber Response and Recovery Fund;

(B) the eligibility of entities that may receive direct or indirect support under a Cyber Response and Recovery Fund, including eligibility for the receipt of direct or indirect support by—

(i) Federal entities;

(ii) State, local, and Tribal governments;

(iii) owners and operators of critical infrastructure; and

(iv) private sector entities that are not owners or operators of critical infrastructure;

(C) allowable expenses for a Cyber Response and Recovery Fund;

(D) whether any entity receiving funds from the Cyber Response and Recovery Fund should be required to match funds or reimburse any funds to the Cyber Response and Recovery Fund;

(E) with respect to funding available for the response to, and recovery from a significant cyber incident, the interaction, duplication, coordination, and deconfliction of that funding, or applications for that funding, provided—

(i) from a Cyber Response and Recovery Fund; or

(ii) under—

(I) the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(II) the National Emergencies Act (50 U.S.C. 1601 et seq.); or

(III) any other Federal grant program relating to cybersecurity or natural disaster response or recovery.

SEC. 1705. BRIEFING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide a briefing to each appropriate congressional committee on the assessments carried

out by the Secretary of Homeland Security under sections 1703 and 1704 that includes—

(1) the findings from the assessments; and

(2) legislative proposals for the establishment of—

(A) an authority for the declaration of a cyber state of distress; and

(B) a Cyber Response and Recovery Fund.

(b) FORMAT.—Each briefing required under subsection (a)—

(1) shall be completed in a manner that is unclassified; and

(2) may include a classified component.

SA 2474. 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. ___. NATIONAL BIODEFENSE STRATEGY UPDATES.

(a) UPDATED BIODEFENSE THREAT ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Director of National Intelligence, shall—

(A) conduct an assessment of current and potential biological threats against the United States, both naturally occurring and man-made, either accidental or deliberate, including the potential for catastrophic biological threats on the scale of the COVID–19 pandemic or greater;

(B) not later than 1 year after the date of enactment of this section, submit the findings of the assessment conducted under subparagraph (A) to the Federal officials described in subsection (b)(1);

(C) not later than 30 days of the date on which the assessment is submitted under subparagraph (B), conduct a briefing for the appropriate congressional committees on the findings of the assessment;

(D) update the assessment under subparagraph (A) biennially as appropriate, and provide the findings of such updated assessments to the Federal officials described in subsection (b)(1); and

(E) conduct briefings for the appropriate congressional committees as needed any time an assessment under this paragraph is updated.

(2) CLASSIFICATION AND FORMAT.—Assessments under paragraph (1) shall be submitted in an unclassified format and include a classified annex.

(b) UPDATED IMPLEMENTATION PLAN FOR NATIONAL BIODEFENSE STRATEGY.—

(1) IN GENERAL.—The Secretary of Health and Human Services, the Secretary of State, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Homeland Security, and all other Departments and agencies with responsibilities for biodefense, in consultation with the National Security Advisor and Director of the Office of Management and Budget, as appropriate, shall jointly—

(A) consider the assessment in subsection (a);

(B) seek input from relevant external stakeholders;

(C) provide an updated comprehensive Implementation Plan for the National Biodefense Strategy (referred to in this section as the ''Strategy''), under section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104), which shall include—

(i) short-, medium-, and long-term goals and objectives for executing the Strategy;

(ii) metrics for meeting each objective of the Strategy;

(iii) the specific roles and responsibilities of each relevant Federal agency in the execution of the Strategy;

(iv) resource plans developed by each department and agency with responsibility for biodefense to staff, support, and sustain efforts to execute the Strategy within the jurisdiction of such department or agency;

(v) guidance on the decision-making process for individual agency budgets and for identifying and enforcing enterprise-wide decisions and priorities under the Strategy;

(vi) recommendations on methods for analyzing the data collected from relevant agencies, including ensuring that non-Federal resources and capabilities are accounted for in analysis under the Strategy; and

(vii) guidance for identifying biodefense allocations within individual agency budget submissions to the Office of Management and Budget, aligned with the objectives in the Strategy; and

(D) not later than 6 months after the date of the completion of the assessment in subsection (a)(1)(A), submit such Implementation Plan to the appropriate congressional committees.

(2) CLASSIFICATION AND FORMAT.—Assessments under paragraph (1) shall be submitted in an unclassified format and include a classified annex, as appropriate.

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means those committees described in section 1086(f) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104(f)) as well as the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SA 2475. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 ____—K2 Veterans Toxic Exposure Accountability

SEC. ____1. STUDY ON TOXIC EXPOSURE AT KARSHI KHANABAD AIR BASE, UZBEKISTAN.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on toxic exposure by members of the Armed Forces deployed to Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005.

(2) MATTERS INCLUDED.—The study under paragraph (1) shall include the following:

(A) An assessment regarding the conditions of Karshi Khanabad Air Base, Uzbekistan, during the period beginning October 1, 2001, and ending December 31, 2005, including an identification of toxic substances contaminating the Air Base during such period.

(B) An epidemiological study of the health consequences of a member of the Armed Forces deployed to the Air Base during such period.

(C) An assessment of any association between exposure to toxic substances identified under subparagraph (A) and the health consequences studied under subparagraph (B).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate congressional committees a report containing—

(1) the study under subsection (a); and

(2) a description of—

(A) the benefits administered by the Secretary of Veterans Affairs that a veteran may be eligible to receive by reason of being exposed to toxic substances at Karshi Khanabad Air Base, Uzbekistan, while serving in the Armed Forces; and

(B) the outreach conducted by the Secretary to inform such veterans of such benefits.

SEC. ____2. ESTABLISHMENT OF K2 TOXIC EXPOSURE REGISTRY.

(a) ESTABLISHMENT OF REGISTRY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) establish and maintain a registry for eligible individuals who may have been exposed to toxic substances at Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005;

(B) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members to such substances;

(C) develop a public information campaign to inform eligible individuals about the registry, including how to register and the benefits of registering; and

(D) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with such exposure.

(2) UPDATES.—The Secretary shall take actions necessary to ensure that the registry may be updated with the cause of death of a deceased registered individual by—

(A) an individual designated by such deceased registered individual; or

(B) if no such individual is designated, an immediate family member of such deceased registered individual.

(3) COORDINATION.—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense in carrying out paragraph (1).

(b) REPORT TO CONGRESS.—

(1) REPORTS BY INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to prepare reports as follows:

(A) Not later than two years after the date on which the registry under subsection (a) is established, an initial report containing the following:

(i) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic substances at Karshi Khanabad Air Base, Uzbekistan.

(ii) Recommendations to improve the collection and maintenance of such information.

(iii) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs

of eligible individuals with respect to conditions that are likely to result from such exposure.

(B) Not later than five years after completing the initial report described in subparagraph (A), a follow-up report containing the following:

(i) An update to the initial report described in subparagraph (A).

(ii) An assessment of whether and to what degree the content of the registry established under subsection (a) is current and scientifically up-to-date.

(2) SUBMITTAL TO CONGRESS.—

(A) INITIAL REPORT.—Not later than two years after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress the initial report prepared under paragraph (1)(A).

(B) FOLLOW-UP REPORT.—Not later than five years after submitting the report under subparagraph (A), the Secretary of Veterans Affairs shall submit to Congress the follow-up report prepared under paragraph (1)(B).

(c) DEFINITIONS.—In this section:

(1) The term ''eligible individual'' means any individual who was deployed as a member of the Armed Forces to Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005.

(2) The term ''immediate family member'', with respect to a deceased individual, means—

(A) the spouse, parent, brother, sister, or adult child of the individual;

(B) an adult person to whom the individual stands in loco parentis; or

(C) any other adult person—

(i) living in the household of the individual at the time of the death of the individual; and

(ii) related to the individual by blood or marriage.

(3) The term ''registered individual'' means an individual registered with the registry under subsection (a).

SEC. ___3. DETERMINATION OF PRESUMPTIONS OF SERVICE CONNECTION FOR ILLNESSES ASSOCIATED WITH K2 EXPOSURE.

(a) IN GENERAL.—

(1) DETERMINATION REQUIRED.—Not later than 60 days after the date on which the Secretary of Veterans Affairs receives the results of a covered study, the Secretary shall make a determination whether a positive association exists between—

(A) the exposure of humans to toxic substances at Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005; and

(B) the occurrence of a diagnosed illness in humans.

(2) BASES OF DETERMINATION.—In making a determination under paragraph (1), the Secretary shall consider—

(A) whether the evidence is statistically significant, capable of replication, and able to withstand peer review demonstrating that there is positive association between the exposure and the occurrence of a diagnosed illness;

(B) the results of a covered study; and

(C) all other sound medical and scientific evidence available to the Secretary.

(3) PRESUMPTION.—If the Secretary determines that a positive association exists between exposure and a diagnosed illness pursuant to paragraph (1), the Secretary shall prescribe regulations providing that—

(A) a presumption of service connection is warranted for the illness covered by that determination if the illness first becomes manifest within the period, if any, prescribed in such regulations in a covered veteran; and

(B) such covered veteran shall be presumed to have been exposed to toxic substances at Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005, unless there is conclusive evidence to establish that—

(i) the covered veteran was not exposed to toxic substances in the course of such service in the Armed Forces; or

(ii) the illness first became manifest prior to the covered veteran's exposure.

(4) SUBMISSION.—Upon the date on which the Secretary makes the determination under paragraph (1), the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate an explanation of such determination.

(b) REGULATIONS.—

(1) PROPOSED REGULATIONS.—

(A) TIMING.—If the Secretary determines under subsection (a)(1) that a presumption of service connection is warranted for an illness, the Secretary shall, not later than 180 days after making such determination—

(i) issue proposed regulations setting forth the determination; or

(ii) submit the initial report under subparagraph (B).

(B) REPORTS.—If the Secretary does not issue proposed regulations by the deadline established in subparagraph (A), the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the status of such proposed regulations. On a quarterly basis thereafter until the date on which the Secretary issues such proposed regulations, the Secretary shall submit to such committees an update on such status.

(2) FINAL REGULATIONS.—Not later than 180 days after the date on which the Secretary issues any proposed regulations under this subsection, the Secretary shall prescribe final regulations. Such regulations shall be effective on the date of issuance.

(3) PRESUMPTION NOT WARRANTED.—

(A) PUBLICATION.—If the Secretary determines under subsection (a) that a presumption of service connection is not warranted for an illness, or proposes to remove a previously established presumption, the Secretary shall publish in the Federal Register a notice of that determination not later than 180 days after making the determination. The notice shall include an explanation of the evidence and scientific basis for that determination.

(B) REMOVAL OF PREVIOUS PRESUMPTION.—If an illness already presumed to be service connected under this section is subject to a notice published under subparagraph (A), the Secretary shall issue proposed regulations removing the presumption for the illness not later than 180 days after publication of such notice.

(4) EFFECT OF REMOVAL.—Whenever the presumption of service connection for an illness under this section is removed under this subsection—

(A) a veteran who was awarded compensation for the illness on the basis of the presumption before the effective date of the removal of the presumption shall continue to be entitled to receive compensation on that basis; and

(B) a survivor of a veteran who was awarded dependency and indemnity compensation for the death of a veteran resulting from the illness on the basis of the presumption before that date shall continue to be entitled to receive dependency and indemnity compensation on that basis.

(c) EFFECTIVE DATE OF BENEFIT AWARDS.—The effective date of any benefit awarded by reason of this section shall be determined in accordance with section 5110 of title 38, United States Code, but shall in no case be earlier than the effective date of the final regulations prescribed pursuant to subsection (b)(2).

(d) DEFINITIONS.—In this section:

(1) The term ''covered study'' includes—

(A) the study conducted under section ___1; and

(B) any subsequent study or any study conducted by the National Academies of Sciences, Engineering, and Medicine regarding the effects of exposure of humans to toxic substances at Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005.

(2) The term ''covered veteran'' means a veteran who was deployed as a member of the Armed Forces to Karshi Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005.

SEC. ___4. ACCESS OF THE NATIONAL ACADEMIES OF SCIENCES, ENGINEERING, AND MEDICINE TO INFORMATION FROM THE DEPARTMENT OF DEFENSE.

Upon request by the National Academies of Sciences, Engineering, and Medicine (in this section referred to as the ''Academies''), the Secretary of Defense shall provide to the Academies information in the possession of the Department of Defense that the Academies determine useful in performing a covered study, as that term is defined in section ___3(d). Such information includes, at a minimum, all environmental sampling data relative to any location included in the study.

SA 2476. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. 2865. LAND CONVEYANCE, MILAN ARMY AMMUNITION PLANT, TENNESSEE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ''Secretary'') may convey and release to the city of Milan, Tennessee (in this section referred to as the''City''), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of approximately 292 acres at Milan Army Ammunition Plant commonly referred to as Parcels A, B, and C, for fair market value.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—

(A) IN GENERAL.—As consideration for the conveyance and release under subsection (a), the City shall provide to the Secretary an amount that is equivalent to the fair market value of the right, title, and interest conveyed and released under such subsection, based on an appraisal approved by the Secretary.

(B) TYPE AND TIMING OF CONSIDERATION.—The consideration provided under subparagraph (A) may be provided by cash payment, in-kind consideration, or a combination thereof, at such time as the Secretary may require.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or

restoration (including environmental restoration), or combination thereof, of any facility, real property, or infrastructure under the jurisdiction of the Secretary.

(c) PAYMENT OF COST OF CONVEYANCE AND RELEASE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the City to pay costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance and release under subsection (a), including survey costs, appraisal costs, costs for environmental documentation related to the conveyance and release, and any other administrative costs related to the conveyance and release.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account used to pay the costs incurred by the Secretary in carrying out the conveyance and release under subsection (a) or, if the period of availability of obligations for that appropriation has expired, to the fund or account that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property subject to conveyance and release under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance and release under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2477. Mr. LEE (for himself, Mr. PETERS, Mr. JOHNSON, Mr. UDALL, Mr. TOOMEY, Mr. ROMNEY, Mr. CORNYN, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 appropriate place, insert the following:

TITLE _____—LEADERSHIP OVER NATIONAL EMERGENCIES

SEC. _____. SHORT TITLE.

This title may be cited as the ''Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act'' or the ''ARTICLE ONE Act''.

SEC. _____. CONGRESSIONAL REVIEW OF NATIONAL EMERGENCIES.

Title II of the National Emergencies Act (50 U.S.C. 1621 et seq.) is amended by striking sections 201 and 202 and inserting the following:

''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 immediately 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 law under which the President proposes that the President or other officers will 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 EMERGENCIES NOT APPROVED.—

''(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency before the expiration of the 30-day period described in section 202(a), or with respect to a national emergency proposed to be renewed under section 202(b), 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 circumstances.

''(2) EXERCISE OF AUTHORITIES.—If a joint resolution of approval is not enacted under section 203 with respect to a power or authority specified by the President in a proclamation under subsection (a) or an Executive order under subsection (b)(2) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

''(d) 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. 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 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.

''(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 such 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 approving—

''(A) the proclamation of the national emergency or the Executive order; and

''(B) the exercise of the power or authority specified by the President in such proclamation or Executive order.

''(3) EXCEPTION 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 30-day periods described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

''(b) RENEWAL OF NATIONAL EMERGENCIES.—A national emergency declared by the President under section 201(a) or previously renewed under this subsection, and not already terminated pursuant to subsection (a) or (c), shall terminate on the date that is one year after the President transmitted to Congress the proclamation declaring the emergency or Congress approved a previous renewal pursuant to this subsection, unless—

''(1) the President publishes in the Federal Register and transmits to Congress an Executive order renewing the emergency; and

''(2) there is enacted into law a joint resolution of approval renewing the emergency pursuant to section 203 before the termination of the emergency or previous renewal of the emergency.

''(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 of the President terminating the emergency.

''(2) EFFECT OF TERMINATION.—

''(A) IN GENERAL.—Effective on the date of the termination of a national emergency under paragraph (1)—

''(i) except as provided by subparagraph (B), any powers or authorities exercised by reason of the emergency shall cease to be exercised;

''(ii) any amounts reprogrammed or transferred under any provision of law with respect to the emergency that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

''(iii) any contracts entered into under any provision of law for construction relating to the emergency shall be terminated.

''(B) SAVINGS PROVISION.—The termination of a national emergency shall not affect—

''(i) any legal action taken or pending legal proceeding not finally concluded or determined on the date of the termination under paragraph (1);

''(ii) any legal action or legal proceeding based on any act committed prior to that date; or

''(iii) any rights or duties that matured or penalties that were incurred prior to that date.

''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 202(b).

''(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 202(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 RECESSES.—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 202(b), Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days, the majority leader of the Senate and the Speaker of the House of Representatives, or their respective designees, acting jointly after consultation with and with the concurrence of 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.

''(3) 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 authorities invoked by the proclamation or Executive order that is the subject of the joint resolution.

''(4) CONSIDERATION IN SENATE.—In the Senate, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

''(B) 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) from further consideration of the resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is subject to 4 hours of debate divided equally between those favoring and those opposing the joint resolution of approval. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business.

''(C) FLOOR CONSIDERATION.—A joint resolution of approval shall be subject to 10 hours of consideration, to be divided evenly between the proponents and opponents of the resolution.

''(D) AMENDMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), no amendments shall be in order with respect to a joint resolution of approval.

''(ii) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Clause (i) shall not apply with respect to any amendment—

''(I) to strike a provision or provisions of law from the list required by subsection (a)(2); or

''(II) to add to that list a provision or 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 of approval.

''(E) MOTION TO RECONSIDER FINAL VOTE.—A motion to reconsider a vote on passage of a joint resolution of approval shall not be in order.

''(F) APPEALS.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

''(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 to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 3 calendar days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. 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 reported by the committee or committees to which it was referred, or after such committee 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, before passing a joint resolution of approval, one House receives from the other a joint 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 from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

''(c) RULE OF CONSTRUCTION.—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 powers of the President.

''(d) RULES OF THE HOUSE AND SENATE.—This section is enacted by Congress—

''(1) 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, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions described in this section, and supersedes other rules only to the extent that it is inconsistent with such other 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 that House.

''SEC. 204. EXCLUSION OF CERTAIN NATIONAL EMERGENCIES INVOKING INTERNATIONAL 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 that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act, shall continue to apply on and after such date of enactment.

''(b) NATIONAL EMERGENCY DESCRIBED.—

''(1) IN GENERAL.—A national emergency described in this subsection is a national emergency pursuant to which the President proposes to exercise emergency powers or authorities made available under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), supplemented as necessary by a provision of law specified in paragraph (2).

''(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are—

''(A) the United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.);

''(B) section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)); or

''(C) any provision of law that authorizes the implementation, imposition, or enforcement of economic sanctions with respect to a foreign country.

''(c) EFFECT OF ADDITIONAL POWERS AND AUTHORITIES.—Subsection (a) shall not apply to a national emergency or the exercise of emergency powers and authorities pursuant to the national emergency if, in addition to the exercise of emergency powers and authorities described in subsection (b), the President proposes to exercise, pursuant to the national emergency, any emergency powers and authorities under any other provision of law.''.

SEC. _____. REPORTING REQUIREMENTS.

Section 401 of the National Emergencies Act (50 U.S.C. 1641) is amended by adding at the end the following:

''(d) REPORT ON EMERGENCIES.—The President shall transmit to Congress, with any proclamation declaring a national emergency under section 201(a) or any Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a report, in writing, that includes the following:

''(1) A description of the circumstances necessitating the declaration of a national emergency, the renewal of such an emergency, or the use of a new emergency authority specified in the Executive order, as the case may be.

''(2) The estimated duration of the national emergency, or a statement that the duration of the national emergency cannot reasonably be estimated at the time of transmission of the report.

''(3) A summary of the actions the President or other officers intend to take, including any reprogramming or transfer of funds, and the statutory authorities the President and such officers expect to rely on in addressing the national emergency.

''(4) In the case of a renewal of a national emergency, a summary of the actions the President or other officers have taken in the preceding one-year period, including any reprogramming or transfer of funds, to address the emergency.

''(e) PROVISION OF INFORMATION TO CONGRESS.—The President shall provide to Congress such other information as Congress may request in connection with any national emergency in effect under title II.

''(f) PERIODIC REPORTS ON STATUS OF EMERGENCIES.—If the President declares a national emergency under section 201(a), the President shall, not less frequently than every 6 months for the duration of the emergency, report to Congress on the status of the emergency and the actions the President or other officers have taken and authorities the President and such officers have relied on in addressing the emergency.''.

SEC. _____. EXCLUSION OF IMPOSITION OF DUTIES AND IMPORT QUOTAS FROM PRESIDENTIAL AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) is amended—

(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 this section 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 limitation under paragraph (1) does not prohibit the President from excluding all articles imported from a country from entering the United States.''.

SEC. _____. CONFORMING AMENDMENTS.

(a) NATIONAL EMERGENCIES ACT.—Title III of the National Emergencies Act (50 U.S.C. 1631) is repealed.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207 of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended—

(1) in subsection (b), by striking ''concurrent resolution'' and inserting ''joint resolution''; and

(2) by adding at the end the following:

''(e) In this section, the term 'National Emergencies Act' means the National Emergencies Act, as in effect on the day before the date of the enactment of the Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act.''.

SEC. _____. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—This title and the amendments made by this title shall—

(1) take effect on the date of the enactment of this Act; and

(2) except as provided in subsection (b), apply with respect to national emergencies declared under section 201 of the National Emergencies Act on or after that date.

(b) APPLICABILITY TO RENEWALS OF EXISTING EMERGENCIES.—When a national emergency declared under section 201 of the National Emergencies Act before the date of the enactment of this Act would expire or be renewed under section 202(d) of that Act (as in effect on the day before such date of enactment), that national emergency shall be subject to the requirements for renewal under section 202(b) of that Act, as amended by section _____.

SA 2478. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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 may be used for the acquisition of components manufactured in the United States at a higher cost than comparable foreign components if the Navy determines that domestically sourcing the component is critical for sustaining the domestic industrial base in support of United States Navy shipbuilding programs.

SA 2479. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE 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. TRANSFER OF EXCESS NAVAL VESSELS TO THE GOVERNMENT OF EGYPT.

(a) TRANSFERS BY GRANT.—The President is authorized to transfer to the Government of Egypt the OLIVER HAZARD PERRY class guided missile frigates ex-USS CARR (FFG–52) and ex-USS ELROD (FFG–55) on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) upon submitting to the appropriate congressional committees a certification described in subsection (b).

(b) CERTIFICATION.—A certification described in this subsection is a certification of the following:

(1) The President has received reliable assurances that the Government of Egypt and any Egyptian state-owned enterprise—

(A) are not engaged in activity subject to sanctions under the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 22 U.S.C. 9401 et seq.), including activity related to Russian Su–35 warplanes; and

(B) will not knowingly engage in activity subject to sanctions under such Act in the future.

(2) The Egyptian forces that will operate the vessels described in subsection (a) will be subject to the requirements of section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) and section 362 of title 10, United States Code (commonly referred to as the ''Leahy laws''), and to other human rights vetting requirements to ensure that United States-funded assistance is not provided to Egyptian security forces that have committed gross violations of internationally recognized human rights.

(3) The President has received reliable assurances that the vessels described in subsection (a) will not be used in any military operation in Libya or Libyan territorial waters, except for those operations conducted in coordination with the United States.

(c) VIOLATIONS.—If the President determines after the transfer of a vessel described in subsection (a) that the conditions described subsection (b) are no longer being met, the President shall apply the provisions of section 3(c) of the Arms Export Control Act (22 U.S.C. 2753(c)) with respect to Egypt to the same extent and in the same manner as if Egypt had committed a violation described in paragraph (1) of such section.

(d) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to the Government of Egypt on a grant basis pursuant to authority provided under subsection (a) shall not be counted against the aggregate value of excess defense articles transferred in any fiscal year under section 516(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)).

(e) COSTS OF TRANSFERS.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), any expense incurred by the United States in connection with a transfer authorized under subsection (a) shall be charged to the Government of Egypt.

(f) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under subsection (a), that the Government of Egypt have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of Egypt, performed at a shipyard located in the United States, including a United States Navy shipyard.

(g) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under subsection (a) shall expire at the end of the 3-year period beginning on the date of the enactment of this Act.

(h) REPORT.—Not later than 30 days before the transfer of a vessel described in subsection (a), the President shall submit to the appropriate congressional committees a report on how the transfer of the vessel will help to alleviate United States mission requirements in the Mediterranean Sea, the Bab el Mandeb Strait, and the Red Sea.

(i) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 2480. 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 to amendment SA 2301 proposed by Mr. INHOFE 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 VIII, add the following:

Subtitle H—Limitation on Procurement of Drones and Other Unmanned Aircraft Systems

SEC. 896. SHORT TITLE.

This subtitle may be cited as the ''American Security Drone Act of 2020''.

SEC. 897. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity included on a list developed and maintained by the Federal Acquisition Security Council. This list will include entities in the following categories:

(A) An entity included on the Consolidated Screening List.

(B) Any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security.

(C) Any entity the Secretary of Homeland Security, in coordination with the Director of National Intelligence and the Secretary of Defense, determines poses a national security risk.

(D) Any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security.

(E) Any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ''covered unmanned aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

SEC. 898. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) though (f), 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. The Federal Acquisition Security Council, in coordination with the Secretary of Transportation, shall develop and update a list of associated elements.

(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 or national security investigations, including forensic examinations; and

(2) is required in the national interest of the United States.

(c) FEDERAL AVIATION ADMINISTRATION CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS EXEMPTION.—The Secretary of Transportation, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is for the sole purposes of research, evaluation, training, testing, or analysis for the Federal Aviation Administration's Alliance for System Safety of UAS through Research Excellence (ASSURE) Center of Excellence (COE) for Unmanned Aircraft Systems.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board (NTSB), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting independent accident investigations.

(e) NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION.—The Director of the National Oceanic Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of research.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Secretary of Homeland Security or the Secretary of Defense; and

(2) upon 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 systems that are being used 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 or national security investigations, including forensic examinations; and

(2) is required in the national interest of the United States.

(c) FEDERAL AVIATION ADMINISTRATION CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS EXEMPTION.—The Secretary of Transportation, in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is for the sole purposes of research, evaluation, training, testing, or analysis for the Federal Aviation Administration's Alliance for System Safety of UAE through Research Excellence (ASSURE) Center of Excellence (COE) for Unmanned Aircraft Systems.

(d) NATIONAL TRANSPORTATION SAFETY BOARD EXEMPTION.—The National Transportation Safety Board (NTSB), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of conducting independent accident investigations.

(e) NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION.—The Director of the National Oceanic Atmospheric Administration (NOAA), in consultation with the Secretary of Homeland Security, is exempt from the restriction under subsection (a) if the operation or procurement is necessary for the sole purpose of research.

(f) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Secretary of Homeland Security or the Secretary of Defense; and

(2) upon notification to Congress.

(e) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall prescribe regulations or guidance to implement this section.

SEC. 899A. PROHIBITION ON USE OF FEDERAL FUNDS FOR PURCHASES AND OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is 2 years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to purchase a covered unmanned aircraft system, or a system to counter unmanned aircraft systems, that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) EXEMPTION.—A Federal department or agency is exempt from the restriction under subsection (a) if—

(1) the contract, grant or cooperative agreement was awarded prior to the date of the enactment of this Act; or

(2) the operation or procurement is for the sole purposes of research, evaluation, training, testing, or analysis, as determined by the Secretary of Homeland Security, the Secretary of Defense, or the Attorney General, 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 or national security investigations, including forensic examinations; or

(F) the safe integration of UAS in the national airspace (as determined in consultation with the Secretary of Transportation); and

(3) is required in the national interest of the United States.

(c) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis—

(1) with the approval of the Secretary of Homeland Security or the Secretary of Defense; and

(2) upon notification to Congress.

(d) 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. 899B. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS 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. 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 covered 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 Departments 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 and technical guidance from the National Institute of Standards and Technology, to address the risks associated with processing, storing and transmitting Federal information in a UAS:

(1) Protections to ensure controlled access of UAS.

(2) Protecting software, firmware, and hardware by ensuring changes to UAS are properly managed, including by ensuring UAS can be updated using a secure, controlled, and configurable mechanism.

(3) Cryptographically securing sensitive collected, stored, and transmitted data, including proper handling of privacy data and other controlled unclassified information.

(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 by law or regulation and an ability to choose with whom and where information is shared when it is required.

(c) REQUIREMENT.—The policy developed under subsection (a) shall reflect an appropriate risk-based approach to information security related to use of UAS.

(d) REVISION OF ACQUISITION REGULATIONS.—Not later than 180 days after the date on which the policy required under subsection (a) is issued—

(1) the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation, as necessary, to implement the policy; and

(2) any Federal department or agency or other Federal entity not subject to, or not subject solely to, the Federal Acquisition Regulation shall revise applicable policy, guidance, or regulations, as necessary, to implement the policy.

(e) EXEMPTION.—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 purposes of training, testing or analysis for—

(A) electronic warfare; or

(B) information warfare operations.

(2) In the case of researching UAS technology, including testing, evaluation, research, 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 subsection (b) 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;

(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 time period over which the waiver applies, which shall not exceed 3 years;

(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 the 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 under which the center will conduct a study of—

(1) the current and future unmanned aircraft system global and domestic market;

(2) the ability of the unmanned aircraft system domestic market to keep pace with technological advancements across the industry;

(3) the ability of domestically made unmanned aircraft systems to meet the network security and data protection requirements of the national security enterprise;

(4) the extent to which unmanned aircraft system component parts, such as the parts described in section 898(a), are made domestically; and

(5) an assessment of the economic impact, including cost, of excluding the use of foreign-made UAS for use across the Federal Government.

(b) SUBMISSION TO OMB.—Upon completion of the study in subsection (a), the federally funded research and development center shall submit the study to the Director of 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 Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Homeland Security and the Committee on Oversight and Government 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.

ORDERS FOR TUESDAY, JULY 21, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., July 21; 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 Calendar No. 483, S. 4049, under the previous order; finally, that the Senate recess following the disposition of the Inhofe amendment until 2:15 p.m. for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Tuesday, July 21, 2020, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 20, 2020:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF ENGINEERS AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 7036:

To be lieutenant general

MAJ. GEN. SCOTT A. SPELLMON

EXECUTIVE OFFICE OF THE PRESIDENT

RUSSELL VOUGHT, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KATHLEEN M. FLARITY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. TERRY W. EDDINGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PATRICK S. HAYDEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ERIC L. PETERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DONALD Y. SZE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. STEPHEN D. DONALD
CAPT. GREGORY K. EMERY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) GRAFTON D. CHASE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) EUGENE A. BURCHER
REAR ADM. (LH) JOEY B. DODGEN
REAR ADM. (LH) WILLIAM G. MAGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. WILLIAM L. ANGERMANN
CAPT. MARC S. LEDERER
CAPT. DONALD M. PLUMMER
CAPT. JEFFREY S. SPIVEY

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, AIR NATIONAL GUARD, AND FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10506:

To be lieutenant general

MAJ. GEN. MICHAEL A. LOH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ARMY RESERVE AND APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 7038:

To be lieutenant general

MAJ. GEN. JODY J. DANIELS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF THE NATIONAL GUARD BUREAU AND

FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10502:

To be general

LT. GEN. DANIEL R. HOKANSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLARD M. BURLESON III

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KENNETH R. WHITESELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF NAVY RESERVE AND APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8083:

To be vice admiral

REAR ADM. JOHN B. MUSTIN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID A. OTTIGNON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF THE NATIONAL GUARD BUREAU AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10505:

To be lieutenant general

LT. GEN. MARC H. SASSEVILLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CARL E. SCHAEFER

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KIRK S. PIERCE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ALEX B. FINK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. EDWARD H. BAILEY
COL. MARY V. KRUEGER
COL. ANTHONY L. MCQUEEN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, ARMY NATIONAL GUARD, AND FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10506:

To be lieutenant general

MAJ. GEN. JON A. JENSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JED J. SCHAERTL

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. MARK D. KELLY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. JACQUELINE D. VAN OVOST

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRIAN S. ROBINSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES L. MOORE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ANDREW A. CROFT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL L. HOWARD

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JAMES J. MALLOY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHELLE C. SKUBIC

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH CORY L. BAKER AND ENDING WITH STEPHENIE D. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

AIR FORCE NOMINATION OF KATHERINA B. DONOVAN, TO BE COLONEL.

AIR FORCE NOMINATION OF WILLIAM R. MARTIN II, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH SYED I. AHMED AND ENDING WITH D014798, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 12, 2020.

ARMY NOMINATIONS BEGINNING WITH BRADLEY AEBI AND ENDING WITH KEVYN WETZEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 12, 2020.

ARMY NOMINATIONS BEGINNING WITH JOHN L. AMENT AND ENDING WITH WENDY G. WOODALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATIONS BEGINNING WITH FELY O. ANDRADA AND ENDING WITH D011074, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER A. FLAUGH AND ENDING WITH ZACK T. SOLOMON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATIONS BEGINNING WITH MICHAEL BERECZ AND ENDING WITH JAMES W. PRATT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATIONS BEGINNING WITH THOMAS E. ALLEN AND ENDING WITH MICHAEL T. ZELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 4, 2020.

ARMY NOMINATIONS BEGINNING WITH CHAD M. ABTS AND ENDING WITH ROGER B. ZEIGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2020.

ARMY NOMINATIONS BEGINNING WITH DANIEL P. ALLEN AND ENDING WITH GARY C. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2020.

ARMY NOMINATIONS BEGINNING WITH BRIAN E. BART AND ENDING WITH MITCHELL J. WISNIEWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2020.

ARMY NOMINATION OF SHAHIN NASSIRKHANI, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH ROBERT L. BETTS AND ENDING WITH JAMES G. THURSTON II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH MATTHEW L. ABBOT AND ENDING WITH DAVID P. ZIEGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH PAUL ANNEXSTAD AND ENDING WITH PETER M. ZUBOF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH BENJAMIN E. BARAN AND ENDING WITH JOSEPH F. RHEKER III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH AARON A. ASIMAKOPOULOS AND ENDING WITH KIMBERLY A. PIZANTI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH DEREK L. BUZASI AND ENDING WITH TRACY A. SICKS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH FRANCIS P. BROWN AND ENDING WITH MCKINNYA J. WALLACE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH STUART R. BLAIR AND ENDING WITH JEFFERY T. KING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH JOHN P. BAUER AND ENDING WITH KURT A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH STEVEN G. BEALL AND ENDING WITH ALMOND SMITH III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH DAVID S. BARNES AND ENDING WITH JOEL A. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH KATHRYN M. HERMSDORFER AND ENDING WITH DWIGHT E. SMITH, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH CHRISTA D. ALMONTE AND ENDING WITH SCOTT D. WORTHINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH JEREAL E. DORSEY AND ENDING WITH KYLE A. RAINES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH JEFFREY A. BROWN AND ENDING WITH JOSEPH B. RUFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH BRIAN S. COOPER AND ENDING WITH JOHN F. RYAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATION OF DELL M. GRIFFITH, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH LIONEL C. VIGUE AND ENDING WITH CHARLES YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH DARREN C. BESSETT AND ENDING WITH GARY D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH SHANE J. EISENBRAUN AND ENDING WITH MICHAEL W. MURPHREE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATION OF ROBERT A. SCINICARIELLO, TO BE CAPTAIN.

NAVY NOMINATION OF DWAYNE PORTER, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JOHN P. FERRARI AND ENDING WITH KEVIN L. WEST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH MARK A. DUNAWAY AND ENDING WITH AMIR M. TAVAKOLIRIZI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATION OF MOTISOLA T. BOWMAN, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH HYUN S. CHUN AND ENDING WITH SCOTT C. MCKINNEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH MICHAEL T. CURRY AND ENDING WITH RODNEY H. MOSS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH CORY M. GROOM AND ENDING WITH MICHAEL L. THOMPSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH CASSIUS A. FARRELL AND ENDING WITH KENNETH J. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH ALLAN M. BAKER AND ENDING WITH RICHARD M. YEATMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATIONS BEGINNING WITH IAN A. BROWN AND ENDING WITH KENYA D. WILLIAMSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2020.

NAVY NOMINATION OF SUZETTE INZERILLO, TO BE CAPTAIN.

NAVY NOMINATION OF THOMAS G. CHEKOURAS, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH RYAN P. ANDERSON AND ENDING WITH GLENN A. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH MICHAEL D. AMEDICK AND ENDING WITH DENNIS M. WHEELER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH JEREMY P. ADAMS AND ENDING WITH ALLEN E. WILLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH MARCO A. AYALA AND ENDING WITH DAVID M. YOU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH WILLIAM M. ANDERSON AND ENDING WITH DAVID S. WELDON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH JERRY J. BAILEY AND ENDING WITH ERIN R. WILFONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH PHILLIP A. CHOCKLEY AND ENDING WITH DANIEL WERNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.

NAVY NOMINATIONS BEGINNING WITH KENNETH R. BASFORD AND ENDING WITH SUSAN M. TILLMON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 2, 2020.