The House met at 9:30 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Lord of the universe, Father of us all, we thank You for giving us another day.

Send Your spirit among Your people, that we might be our best selves as members of an American community dedicated to constitutional norms of behavior and process.

Give us all the needed patience and generosity required to continue to adjust to the challenges the coronavirus presents. Education, small business, those who have always had to live paycheck-to-paycheck struggle. Help us to persevere with all the caution and care needed to stop the ongoing spread of the virus.

Bless those who labor to attend to the sick, and those who strive to find effective treatments and vaccines. Bring healing to those who mourn the loss of loved ones. Keep us all safe in Your divine mercy.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 4(b) of House Resolution 967, the House stands adjourned until 1 p.m. on Friday, September 11, 2020.

Thereupon (at 9 o’clock and 33 minutes a.m.), under its previous order, the House adjourned until Friday, September 11, 2020, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

5223. A letter from the Chief Counsel, Office of Chief Counsel, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility [Docket ID: FEMA-2020-0005; Internal Agency Docket No: FEMA-8633] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5224. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility [Docket ID: FEMA-2020-0005; Internal Agency Docket No.: FEMA-8637] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5225. A letter from the Chief Counsel, Office of Chief Counsel, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility [Docket ID: FEMA-2020-0005; Internal Agency Docket No.: FEMA-8631] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5226. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department’s final rule — Suspension of Community Eligibility [Docket ID: FEMA-2020-0005; Internal Agency Docket No.: FEMA-8635] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5227. A letter from the Program Specialist, Chief Counsel’s Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department’s final rule — Joint Statement on Enforcement of Bank Secrecy Act/Anti-Money Laundering Requirements received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5228. A letter from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission’s guidance — Supplement to Commission Guidance Regarding Proxy Voting Responsibilities of Investment Advisers [Release No.: IA-5647] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5229. A letter from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department’s final priorities, requirements, definition, and selection criteria — Education Innovation and Research-Teacher-Directed Professional Learning Experiences [Docket ID: ED-2020-0025] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

5230. A letter from the Legal Yoeman, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s temporary final rule — Safety Zone; Limestone Bay, St. Thomas, USVI [Docket Number: USCG-2020-0257] received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5231. A letter from the Legal Yoeman, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s final rule — Special Local Regulations; Recurring Marine Events, Sector Charleston [Docket Number: USCG-2019-0689] (RIN: 1625-A009) received August 18, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.
under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GRIJALVA: Committee on Natural Resources. H.R. 1702. A bill to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on Federal land, and for other purposes; with amendments (Rept. 116–490). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 3169. A bill to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes (Rept. 116–492). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 5457. A bill to amend the Indian Child Protection and Family Violence Prevention Act (P.L. 114–198) to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

Mr. BROWN of Maryland: H.R. 8183. A bill to require the Comptroller General of the United States to submit a report on the accessibility of Federal contact information for veterans demonstrations and special events at Federal facilities, and for other purposes; to the Committee on Armed Services.

Mr. BROWN of Maryland: H.R. 8184. A bill to direct the Secretary of Defense to establish the Center for Asymmetric Threat Research and Analytics to conduct research concerning violent extremist organizations, weapons of mass destruction, and influence operations, and for other purposes; to the Committee on Armed Services.

Mr. BROWN of Maryland: H.R. 8185. A bill to direct the Secretary of Defense to establish a program of wind energy research, development, and demonstration, and for other purposes; to the Committee on Energy and Commerce.

Mr. GROTHMAN: H.R. 8186. A bill to amend the Public Health Service Act to deem any insulin that is determined by the Secretary to be bio-similar to the reference product to be interchangeable with the reference product, and for other purposes; to the Committee on Energy and Commerce.

Mr. GHANTAH (for himself and Mr. GONZALEZ of Ohio): H.R. 8181. A bill to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes; to the Committee on Oversight and Reform.

Mr. LEY of California (for herself, Ms. BASS, Ms. KELLY of Illinois, Mr. CASTRO of Texas, Ms. JUDY CHI of California, Ms. HASTINGS, Mr. RUPPERSBERGER, Mr. GARCIA of Illinois, Mr. TED Lieu of California, and Mr. GRIJALVA): H.R. 8182. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Mr. MENG (for herself, Ms. ESCOBAR, Ms. NORTON, Mr. CASTEN of Illinois, Ms. SERRANO, Mr. KENNEDY, Mrs. NAPOLITANO, Mr. CUELLAR, Mr. GARCIA of Illinois, Ms. KUSTER of New Hampshire, Mr. STEWART of North Carolina, Mr. HASTINGS, Mr. LYNCH, Mr. KHANNA, Mrs. LAWRENCE, Mr. CARSON of Indiana, Ms. FRANKEL, and Mrs. HAYES): H.R. 8184. A bill to require the Secretary of Education to ensure that local educational agencies establish full-time title IX coordinators to improve oversight, data collection on sexual harassment, student survivor support, and for other purposes; to the Committee on Education and Labor.

Mr. TRONE (for himself, Ms. JACKSON LEE, Mr. RUSCH, Ms. NORTON, Ms. MOORE, Mrs. HAYES, Ms. PRESSLEY, Mr. BROWN of Maryland, Mr. HOYER, Mr. RUPPERSBERGER, Mr. SARBANES, Mr. RASKIN, and Mr. MPUMIKE): H.R. 8185. A bill to authorize the President to award the Medal of Honor to Waverly B. Woodruff, Jr., for acts of heroism in World War II; to the Committee on Armed Services.

Mr. YOHO (for himself, Mr. CRIST, Mr. BILIRAKIS, Ms. CASTOR of Florida, Mr. BUSCH, Mr. DEMINGS, Mr. DIAZ-BALART, Mr. DURCH, Mr. DUNN, Ms. FRANKEL, Mr. GAETZ, Mr. HASTINGS, Mr. MAST, Mr. LAWSON of Florida, Ms. POSHY, Ms. MUCARELLO-Powell, Mr. ROONEY of Florida, Mrs. MURPHY of Florida, Mr. RUTHERFORD, Ms. SHALALI, Ms. SPANO, Mr. SOTO, Mr. STEUH, Mr. WASSERMAN SCHULTZ, Mr. WALTZ, Ms. WILSON of Florida, and Mr. WEBSTER of Florida): H.R. 8186. A bill to name the Department of Veterans Affairs community-based outpatient clinic, located at 400 College Drive, Middleburg, Florida, the “A.K. Baker VA Clinic”; to the Committee on Veterans’ Affairs.
Article I, Section 8, Clause 18 provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

By Mr. DESAULNIER:

H.R. 8190.

By Mr. BROWN of Maryland:

H.R. 8189.

By Mr. GOHMERT:

H.R. 8188.

By Mr. GROTHMAN:

H.R. 8190.

By Mrs. AXNE:

H.R. 8181.

By Mr. BISHOP of North Carolina:

H.R. 8182.

By Mr. BROWN of Maryland:

H.R. 8184.

By Mr. BROWN of Maryland:

H.R. 8185.

By Mr. BROWN of Maryland:

H.R. 8186.

By Mr. DeSAULNIER:

H.R. 8187.

By Mr. EMMER:

H.R. 8188.

By Mr. GOHMERT:

H.R. 8189.

By Mr. KHANNA:

H.R. 8191.

By Ms. LEE of California:

H.R. 8192.

By Ms. MENG:

H.R. 8193.

By Mr. TRONE:

H.R. 8194.

By Mr. YOHO:

H.R. 8195.

By Ms. WATSON COLEMAN, Ms. LEE of California, and Ms. SPEIER.

H.R. 7691: Mr. Visclosky, Mr. Foster, and Mr. Delgado.

H.R. 7718: Mrs. Rodgers of Washington, Mrs. Watson Coleman, Ms. Lee of California, and Ms. Spearer.

H.R. 7781: Mr. Raskin.

H.R. 7909: Mr. DeSaulnier and Mr. Harder of California.

H.R. 7920: Mrs. Luria.

H.R. 7984: Ms. Norton and Mrs. Watson Coleman.

H.R. 7990: Mr. Reschenthaler.

H.R. 8005: Mr. Lawson of Florida.

H.R. 8017: Mr. Veila, Ms. Lee of California, Mr. Sablan, Mr. Welch, and Ms. Frankel.

H.R. 8056: Mr. Payne.

H.R. 8061: Ms. Pingree.

H.R. 8094: Mr. Malinowski.

H.R. 8099: Ms. Scanlon.


H.R. 8125: Mr. Stivers.

H.R. 8150: Ms. Lee of California, Ms. Scanlon, Ms. Escobar, and Mr. Welch.


H.Res. 190: Mrs. Trahan.

H.Res. 1078: Mr. Himes.
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.
Eternal God, our hope for years to come, empower our lawmakers to live with integrity. Lord, inspire them to permit their words to be matched by their deeds. As they strive for this ethical congruence, strengthen them to examine their hearts with the goal of seeking to glorify You. Living by Your precepts, may they aspire to be faithful to the noble calling of serving You and country.
We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. BLACKBURN).
The Senator from Iowa.
Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute in morning business.
The PRESIDING OFFICER. Without objection, it is so ordered.

IOWA 99 COUNTY MEETINGS
Mr. GRASSLEY. In August, I held 49 county meetings as part of my annual 99-county set of meetings in Iowa. At every meeting, the format is the same: Iowans set the agenda.
Challenges from the pandemic and storm recovery were among their top concerns. To explain the storm recovery—about once every 10 years there is a big wind storm called a derecho going across someplace in the country. That path was about 150 miles long in Iowa and 34 miles wide, and it destroyed the crops for this year in that area. Other issues came up as well. Biofuels, unemployment insurance, the farm economy, access to childcare and school reopenings were frequent points of discussion. I had the chance of visiting in 15 different locations with about that many school superintendents, and they were very optimistic about the coming school year.

This is my 40th year holding my 99 county meetings. I started this tradition when I first was elected to the Senate, so Iowans in every corner of the State would know I care about their opinions.
It is an honor to serve Iowans in the U.S. Senate and uphold my end of representative government. I look forward to more Q&As across the State this year and starting my 41st year of 99 county meetings in 2021. I yield the floor.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDING OFFICER. The majority leader is recognized.

CORONAVIRUS
Mr. MCCONNELL. Our Nation has spent the last 6 months fighting the medical, economic, and social effects of this pandemic. The Senate’s historic rescue package from back in March, the CARES Act, has gone a long way to help American workers and families endure these incredible challenges.
It delivered the extra Federal unemployment benefits that helped laid-off workers make ends meet. It created the Paycheck Protection Program, which has helped millions of small businesses keep their lights on and keep employees on the payroll; it sent resources to the frontlines of the healthcare fight; and it invested billions in the race for treatments and for vaccines.
But this relief was never going to last forever. Today, enhanced Federal unemployment benefits are only still available because of action by President Trump. The Paycheck Protection Program has closed to new applications, and the funds it has delivered are being exhausted. This last month has brought a whole new challenge: how to get teachers and students safely into a school year.

Senate Republicans have been fighting for months to deliver another round of COVID–19 relief. In July, we proposed the HEALS Act, a sweeping package totaling more than $1 trillion that would have led right to bipartisan talks, but Speaker PELOSI and the Democratic leader said no.
They said they would block our trillion dollars for kids, jobs, and healthcare unless we doubled the cost to accommodate an endless wish list of non-COVID-related liberal priorities such as tax cuts for blue-State millionaires.
So Republicans tried another way to break the logjam. In August, we proposed narrowing discussions to some of the most urgent, most bipartisan subjects that seemed especially ripe for agreement, but Speaker PELOSI and the Democratic leader blocked that as well. Now they claimed it was too “piecemeal” — too piecemeal, they said—to get any help out the door until Democrats and Republicans had settled every disagreement on every front.
The Democratic leaders have spent months playing these “Goldilocks” games. They have complained about every single thing we put forward but produced nothing of their own with any chance whatsoever of becoming law.
Meanwhile, after all their blustering that Congress should never do anything "piecemeal," Speaker PELOSI came rushing back to Washington to pass the most piecemeal bill you could possibly imagine—legislation that solely helped out the U.S. Postal Service and did nothing at all for American families. When Republicans tried to help American workers keep their jobs, Speaker PELOSI and Leader SCHUMER said it was "piecemeal," but when House Democrats' fears about mail-in voting ring true, maybe their own jobs would be in jeopardy, that argument suddenly disappeared.

That is the score. Democrats are all for piecemeal bills when they concern their own re-elections, but when it comes to bipartisan aid for kids, jobs, and schools, Democrats say it is either their entire wish list—all of it—or nobody gets a dime.

Well, Republicans see this quite differently. We don't think this crisis cares about politics. We think people are hurting and Congress should do its job. We want to agree where a bipartisan agreement is possible, get more help out the door, and then keep arguing over the rest later.

That is how you legislate. That is how you make law. You find agreement where agreement is possible and keep arguing over the rest later.

So Republicans are making yet another overture. Today, we are releasing a targeted proposal that focuses on several of the most urgent aspects of this crisis—issues where bipartisanship should be especially possible. I am talking about policies such as extending the additional Federal unemployment benefit for jobless workers; providing a second round of the job-saving Paycheck Protection Program for the hardest hit small businesses to prevent layoffs; sending more than $100 billion to help K-12 schools and universities open safely and educate our kids; deducting billions more for testing, contact tracing, treatments, and vaccines; on-shoring manufacturing capacity for critical medical supplies and rebuilding our national stockpile; giving all kinds of families more choice and flexibility to navigate education and childcare during the crisis; providing legal protections for schools, churches, charities, nonprofits, and employers so they can reopen; providing more help for the Postal Service. Our proposal would do all that.

Now, here is what our bill is not. It is not a sweeping, multitrillion-dollar plan to rebuild the entire country in Republicans' image. It does not even contain every single relief policy that Republicans previously said they would support in the short term. I am confident the Democrats would feel the same way.

But the American people don't need us to keep arguing over what might be perfect. They need us to actually make law.

So Democratic leaders are perfectly free to come out here and keep up their playbook from these past months. Just blast away—blast away—in bad faith, call names, and complain about the infinite number of things this proposal does not do. Maybe they will bring back their "Goldilocks" act and say our multihundred-billion-dollar proposal is too small or too skinny, even though their own piecemeal bill for the Postal Service that ignored everything else—a piecemeal bill for the Postal Service that ignored everything else.

Democrats can do all that if they want to. I understand they have already been criticizing this bill today before they even read it, before it had even been put out. More of this would just reinforce that only one side of the aisle seems to want any bipartisan outcome at all.

It is easy to tell in Washington whether somebody's end goal is political posturing or getting an outcome. One way or another, what Democrats do will be revealing.

The Senate is going to vote on this targeted proposal. We are going to get the stonewalling of Democratic leaders out from behind closed doors and put this to a vote out here on the floor. It is going to happen this week. Senators will not be voting on whether this targeted package satisfies every one of their legislative hopes and dreams. That is not what we will do in this Chamber. We vote on whether to make laws, whether to forge a compromise, whether to do a lot of good for the country and keep arguing over the remaining differences later.

A few weeks ago, more than 100 House Democrats spoke out publicly. They asked Speaker PELOSI to stop stonewalling and let the House vote on targeted COVID relief short of—short of—her entire wish list. The Speaker ignored them—ignored her rank and file, just like her piecemeal postal bill ignored American families.

Over here I will make sure our Democratic colleagues get a chance to walk the walk. Every Senator who has said they want a bipartisan outcome for the country will have a chance to vote for everyone to see. Senators will vote this week, and the American people will be watching.

MEASURES PLACED ON THE CALENDAR

Mr. MCCONNELL. Madam President, I understand there are three bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 3) to establish a fair price negotiation program, protect the Medicare program from excessive price increases, and establish an out-of-pocket maximum for Medicare part D enrollees, and for other purposes.

A bill (H.R. 51) to provide for the admission of the State of Washington, D.C. into the Union.

A bill (H.R. 1425) to amend the Patient Protection and Affordable Care Act to provide for a Improve Health Insurance Affordability Fund to provide for certain reinsurance payments to lower premiums in the individual health insurance market.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar for the next legislative day en bloc.

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

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

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 nomination of Brett H. Ludwig, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

The Senator from Vermont.

CORONAVIRUS

Mr. LEAHY. Madam President, as we all know, we are in the middle of a public health crisis. The American people are hurting, from every State in our country. Nearly 190,000 people—our fellow citizens—have died. Millions have lost their jobs, and they are struggling to make ends meet. People are being evicted from their homes, and they are struggling to feed their families.

The virus is still not under control. We know there is a need for another emergency funding bill. The need to address the COVID crisis is clear. This is something, actually, we could have done in July if we had been willing to actually do our job and vote on the appropriations bills after the House Appropriations Committee had already shown the way, but 4 weeks ago, the Trump administration and the Senate Republican leadership walked away from the negotiating table. Democrats had offered a compromise. Republicans said "My way or the highway in town. They just walked away from the Capitol when we had all these things that needed to be done.
Here we are. We are back 4 weeks later. Is the situation better? Of course not. Across the country, families are sending their children back to school without the necessary resources to ensure they are safe, and still more students are learning from home without reliable access to the internet. Evictions are rising. Families are struggling to find childcare. Unemployment is at the highest level I can remember—certainly unacceptable levels. I am preparing for November's elections without the resources they need to make sure people can safely vote. The Postal Service needs a serious injection of funding to deliver mail in a timely manner. It actually has consequences.

I am for the right to negotiate. I was 4 weeks ago. I have been throughout the time the Senate has been out of session. I have been prepared to come back to Washington to negotiate. But not without the knowledge that, no, Republican leadership will not negotiate.

Senator McConnell says he has prepared a so-called skinny COVID bill to put before the Senate. He will put it before us. He will take it or leave it—no amendments, no debate. This proposal is not skinny; it is anemic.

Why are they afraid to vote? Let's have amendments and vote them up or down. Then we can ask the American public wonders what is going on when the Republican leadership will not even allow a vote? What are they so afraid of? It is democracy. Vote up or down. The Republicans have a majority. So they don't like the amendments that come up, vote them down, but at least vote on them. Don't hide behind platitudes, tweets, and campaign ads, which you can do because you never actually have to take responsibility. You ought to vote.

The bill hasn't been made public, but details are beginning to emerge. The details that have emerged show it is woefully inadequate to meet the needs of the country. In fact, it provides even less than the $1 trillion smaller, trickle-down-dollar package the Trump administration put forward before the Senate adjourned a month ago.

I don't know where Republicans spent the last month, but I know where I was. I was all over the State of Vermont talking to Republicans, Democrats, and Independents, hearing what is on people's minds—not lobbyists, not special interests, but the people who pay the bills and who have to pay the consequences. I became even more convinced, not less, that we have dire needs in this country because of the coronavirus pandemic, and we have to address them, and soon. How any senator can vote to pass legislation that will go back to his home State and returned convinced that even less assistance is needed than when we left last month is baffling to me. That is why I am saying that every Senator can say where they stand, but the way they prove where they stand is by voting.

Let's have the courage to stand up and vote yes or no. It is not a take-it-or-leave-it package that will be decided by one person, and nobody else would be able to vote anything differently. What are we? What are we—a bunch of ducks in a row, or are we U.S. Senators? Adding insult to injury, we now find that the bill ultimately provides sweeping liability shields for corporate bad actors who fail to do their part to keep consumers, employees, and patients safe. It tells you everything you need to know about the priorities of this Republican package—big corporations come ahead of struggling American families.

Instead of the person who is trying to pay the bills and send their children back to school, who is making out in this bill? The lobbyists for multimillion-dollar insurance companies. They are already making billions of dollars. They don't have to worry about the bills. They don't have to worry about their children going back to school. They didn't write about jobs. And this bill gives them one more gift? How can we possibly say we support that and then go back home and say we are on the side of our people? If the majority leader wants to put this country's confidence in a giveaway to the multimillion-dollar insurance companies—well, do it the right way. Bring it here. Set up a real debate on the bill—debate that the country deserves and that I think a majority of the Republicans and Democrats would want. Open it to amendments—no limits. Let the process work—not a process that only rewards highly paid lobbyists for multimillion-dollar corporations, but allow Senators on both sides of the aisle to say: Here is where I stand with the people in my State who have to pay the bills, who have to send their kids back to school, who are trying to keep their jobs or keep their farms going, or whatever it might be.

Let Members raise issues important to their constituents from any of the 50 States, and then vote on those issues: funding for State and local governments that are facing the brunt of the COVID response; money for schools so we can safely educate our Nation's children; rental assistance and eviction protections to help keep people in their homes; food assistance for hungry families so they don't go hungry in the wealthiest country on the planet; funding for our elections so we can ensure that people can safely vote and we can trust the results of the vote; big investments in health and contact tracing because we know we can't begin to do the amount of testing and contact tracing we need to do today. Our economy is only going to come back when the American people are confident the virus is no longer a threat. I know the President said last winter that of course the virus will go away in the spring. Everybody in this Chamber, Republican and Democrat, knows he wasn't telling the truth on that. Of course it didn't go away, we are not going to have a recovery until we have confidence that the virus is no longer a threat. My friend Senator McConnell's skinny bill doesn't provide that confidence.

So I lay these issues up for a vote. I will vote yes or no, and vote it up or down. Let the American people see where each Member of this Chamber stands. I know where I stand. Do as Republican leaders in the past have done. Howard Baker, Bob Dole, and others are the great leaders. To my knowledge, when Republicans have amendments, they would say: OK, we will vote them up or we will vote them down. Why don't we do that? That is the way the Senate was designed. But this majority leader will not do what his predecessors have done. Why? Because on many of these issues, he knows he would lose. Not too many would be willing to vote for his give-away to the lobbyists for the large insurance companies.

I say, we have 900 Senators in this country. The Senator who voted the most in the Nation's history was Senator Bob Byrd, one of the longest serving Senators. He voted around 18,000 times. He was willing to stand for his vote. Out of those 2,000 Senators, the Senator who comes in second with the most votes is this Senator from Vermont. That is not just for longevity; that means I voted for things that I knew would hurt me politically, but I thought it was the right thing to do. I am willing to represent the people of Vermont: Here is where I stand. You can agree or disagree with me, but you know where I stand.

One of the reasons the Senate is held in such disfavor in this country is that we don't vote. We don't have real debate. It is all one way or that way alone.

Absent a real debate in the Senate, which clearly the Republican leader is afraid of, why don't the Republicans come back to the negotiating table and restart bipartisan, bicameral talks on a comprehensive COVID relief package that can pass both Chambers?
We actually were prepared to do this in July. I remember saying: Why don’t we bring up all the appropriatations bills? The Republicans have the majority. They can vote them down if they don’t like them, but let’s bring them up and have a vote on them, one way or the other. Don’t do it.

Now Senator McConnell says he wants to do this process piecemeal: Pass a little bit now, a little bit later. Trust me, we can do that.

Well, Mr. Wicker, Ronald Reagan would say, “Trust, but verify.” Let’s have a real vote. Let’s vote on all of it because we know that the majority leader will adjourn the Senate later this month to go home and campaign. It appears all he wants is a show vote on a woefully inadequate bill that he knows can never become law and then to get out of here.

That is not a plan for action. That is not a real plan to pass a bill for the American people. It is unacceptable.

What do we admit that the most important thing before us is what is happening with COVID and how we address it? Now, I know a lot of Republicans who have some very good ideas, and I know a lot of Democrats who have some very good ideas to address it. Let’s vote up, let’s vote down. Vote for them—vote for them or vote against them.

Don’t say we are not going to allow a vote because we don’t have time. We have plenty of time. We have plenty of time. Let’s take a little time every day, go through weekends if need be, and just vote, vote up or down.

We are running out of time. Right now, the majority leader intends to adjourn the Senate in just a few weeks. Well, the American people don’t have that luxury. They can’t just go home for a few weeks knowing their bills are being paid, their salary is being paid. They need our help. Why don’t we do our job and vote these things up or down?

Have the courage to say what you stand for. We could have, easily, 40 to 50 amendments—realistic amendments from both Republicans and Democrats—vote them up or down, and then have a bill that can go to conference. Every one of us knows we should have done that in July. We didn’t. We could have done that in August. We didn’t.

It is September. Let’s at least now do our job, uphold our oath of office, and pass a bill and not be afraid of how we vote. I know, in my own votes, those 16,000-plus, somebody can find votes they disagree with. So what. I have the courage to vote.

I call on my fellow Senators: Have the courage to vote. We are supposed to be the conscience of the Nation. Let’s try to be. I see other Senators on the floor, eagerly awaiting their chance to give us their news.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, I take to the floor of the Senate this afternoon to call Senators’ attention to the worsening crisis in intercountry adoptions. I must say, it saddens me to have to do this because much of the crisis in foreign adoptions—or intercountry adoptions—is happening as a result of policies of our own Federal Government.

I am fortunate to have had two loving parents and a loving family. My dad is 96 years old. I visited with him yesterday. My mom, sadly, passed away several years ago. But I was fortunate to have two people on the face of this planet to have two loving parents and a loving family. That is not the case all around the world.

Internationally, in particular, there are countless children who have no mom, no dad, no family, no extended family to care for them. They reside in the most deplorable conditions, in orphanages, and as wards of the state.

Americans have always been compassionate for without a forever family, and that compassion extends to children not only orphaned in the United States but also outside of our borders. For decades, Americans have led the world in welcoming children to come to the United States and be part of a forever family. As a result, more than 150,000 children adopted from foreign countries are now growing up in the United States—150,000. These children and their adoptive families are examples of America at its best.

I am here to say to my colleagues today that intercountry adoption is in real trouble, and much of the reason that intercountry adoption is in trouble is coming from our own Federal policies, from unelected bureaucrats, particularly at our own Department of State.

The number of international children finding an American home has plummeted in recent years. I listen to this statistic. In the year 2004, Americans adopted 23,000 children from foreign countries—23,000. Last year, 2019, that number had fallen below 3,000, an 87 percent drop from 23,000 only 15 years before to 3,000 in 15 short years.

Now, people who have been looking into this issue are well aware of what is causing the decline, and one of the reasons is Russia. Because of foreign policy disagreements, Russia has shut down international adoptions. We have pleaded with the Russian Government about this, and we have not made much progress. That is one of the factors—not the only factor and not even the principal factor, but that is on the Russian Government. It saddens me that they have done this.

The biggest reason for the decline in intercountry adoptions by Americans comes within our own government, our own State Department. For years, the State Department and its adoption accreditation entity have demonstrated a clear and consistent bias against intercountry adoption. It saddens me to say this. It is unbelievable that I have to say this, but career bureaucrats in the State Department have deliberately obstructed the adoption process with new fees, new requirements that amount to redtape, and unrealistic standards on foreign governments. These bureaucrats have further burdened some regulations on adoption provider agencies. These regulations make it nearly impossible for adoption-providing agencies to maintain accreditation.

This has been done by design, and the results are devastating. In the last year and a half, more than 30 adoption-providing agencies have left the intercountry adoption space, and we are losing more agencies every month. The bias of our Federal Government’s State Department against intercountry adoptions is unmistakable.

In 2018, for example, the Department directly intervened to prevent three of the most well respected adoption agencies from being reaccredited. A Federal judge dismissed the Department’s reasoning as “quite unconvincing” and “simply illogical.” That is what a Federal judge had to say about the reasoning of this part of the State Department that seems determined to end foreign adoptions.

During that same year, 2018, a journalist quoted a State Department insider who confirmed that the Office of Children’s Issues, the OCI, in the State Department is biased against intercountry adoption. Why they would take this position is beyond me. Adoption advocates followed up by requesting Freedom of Information Act requests about this claim by the journalist who quoted the State Department insider, but the Department of State has resisted this Freedom of Information Act request and has still yet to provide any documents 2 years after the statutory FOIA deadline has passed.

There are plenty more examples. Last year, the State Department hosted an adoption symposium that may well have been called the international anti-adoption symposium. This is funded at our State Department by our own taxpayer dollars. Our own tax funds funded a conference that featured radically anti-adoption speakers who openly denounced the practice of international adoptions. It is hard to believe, and it is hard to imagine a worse use of taxpayer dollars.

The adoption community has voiced concerns about the Department’s anti-adoption bias, but it seems that government has not listened. I will say that this has been a problem in State Departments headed by Republican Secretaries and by Democratic Secretaries. When adoption advocates have privately shared their concerns about the accrediting agency, the Department responded by issuing a public letter threatening the future of intercountry adoption.

The Office of Children’s Issues, OCI, is slamming the door in the faces of thousands of orphans who need a family, and they are saying no to willing American adopters who are adopting any foreign country child. It saddens me to say this.
American couples who are pleading to give these international children a forever family here in our great country.

It seems that OCI’s priorities are out of step with their statutory mandate. Also, they are out of step with the values of this country and basic morality. We need to change the policy of the State Department in this regard, I say to my colleagues.

I call on my colleagues on the Foreign Relations Committee to hold an oversight hearing to review the State Department’s role in intercountry adoption, to examine the allegations of bias against intercountry adoption, and to hear from accrediting agencies and other stakeholders about their experiences in working with the Department of State and its accrediting entity. I think such a hearing would be revealing, and I think the results would be troubling to Members of the Congress.

I also call on the Senate Permanent Subcommittee on Investigations to investigate allegations raised against the U.S. Department of State’s Office of Children’s Issues.

It is time, actually, to transition the U.S. central authority from the Department of State to a more receptive, more compassionate, and more understanding home, such as the Department of Health and Human Services. This would allow experienced child welfare professionals to oversee intercountry adoptions.

We have a great Secretary of State. I have known Mike Pompeo for years. I think he has got all he can preside over, and I don’t for a minute think that the Secretary of State understands what this small entity in his State Department is doing. I think he must have no idea that this is going on, but I think the solution is to move this function from the State Department.

I would call on the Secretary of State to put a hold on planned changes down in this little agency populated by unelected bureaucrats who are hostile to adoption. I think we should put a hold on changes in the accreditation compliance system until there has been a full review of OCI’s bias against adoption. The competence of their staff needs to be investigated, and we need to look, we need to give an open assessment, shining the light of day on the impact that this small group of bureaucrats is having on something that I think most Americans support.

The American people believe in adoption. They believe in giving orphans anywhere in the world an opportunity to have a forever family. They believe in giving couples here in the United States the opportunity to provide a home for children who are less fortunate than most of us have been, most of us within the sound of my voice have been. I think the American people believe in a change in this inequity of anti-American and anti-family policy.

Today, I am on the floor of the U.S. Senate to shine a light on this tragedy, on this outrage. I ask my colleagues to remember the teaching of the Psalmist: ‘Give justice to the weak and the fatherless; maintain the right of the afflicted and the destitute.’

I think Americans believe in the sentiment of that regard. I think we are ready to heed the plight of the fatherless. Let’s not neglect our duty in correcting the situation we find ourselves in and, once again, become the country that provides welcome, loving outreach to children to be part of a forever American family.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

UGHUR INTERVENTION AND GLOBAL HUMANITARIAN UNIFIED RESPONSE ACT OF 2019

Mr. MCCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the pending business.

The bill clerk read the following: House message to accompany S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

Pending:

McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2499, in the nature of a substitute.

AMENDMENT NO. 2499 WITHDRAWN

Mr. MCCONNELL. I withdraw the motion to concur in the House amendment with amendment No. 2499.

The PRESIDING OFFICER. The Senator has the floor.

The amendment is withdrawn.

MOTION TO CONCUR WITH AMENDMENT NO. 2652

Mr. MCCONNELL. I move to concur in the House amendment with amendment No. 2652.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to the bill, S. 178, with an amendment numbered 2652.

Mr. MCCONNELL. I ask that the reading be dispensed with.

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

The amendment is as follows: (Purpose: In the nature of a substitute) (The amendment is printed in today’s Record under “Text of Amendments.”)

CLUTCH MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the motion to concur with amendment.

The PRESIDING OFFICER. Pursuant to rule XIII, I will close the debate before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to close debate on the motion to concur in the House amendment to S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China, with a further amendment No. 2652.

Mitch McConnell, John Barrasso, Shelley Moore Capito, Marco Rubio, Lamar Alexander, Mike Crapo, Roy Blunt, James M. Inhofe, Kevin Cramer, Richard C. Shelby, Martha McSally, Pat Roberts, Tim Scott, James Lankford, Dan Sullivan, Todd Young, John Cornyn, and James Lankford.
and countless others about how the resources that we have been providing have helped them towards this pandemic. From the Rio Grande Valley to Amarillo—opposite ends of our State—from Tyler to Orange in the eastern part of the State and all points in between, I met up with Tech University and Texas Tech Health Science Center in Amarillo. Some joined us socially distanced on campus and others connected virtually. I was able to hear from both students and teachers about this unprecedented school year and the obstacles—the extra challenges—brought on by COVID-19. Whether in person, online, or some combination of the two, education looks a lot different this year, and we need to provide schools with the funding to keep kids in the classrooms safe and those at home on track for a great education.

Congress has already passed $30 billion in emergency relief for education, including more than $2.6 billion for Texas schools. Has helped our school districts, colleges, and universities prepare for the fall, but, to be honest, more is needed. For those learning in person, additional funding can cover cleaning services and equipment to prevent children from catching and spreading the virus. For those learning virtually, it could provide additional hardware and internet hotspots so they can do their studies online.

I visited one high school in Ector County—that is Odessa, TX—where they are using a blended or hybrid in-person and online instruction model. Ector County ISD began this year with online instruction for students who have internet access, at home and in-person instruction for those who did not. Of the roughly 33,000 students in the district, about 4,200 were in the classroom on the first day. And I can assure you, it is not the only school district in Texas whose students have difficult and challenging the technology needed to learn from home.

More than 2 million Texas households don’t have reliable internet access, and it is leaving our students on the wrong side of the digital divide. Internet access is no longer a luxury or just a convenience; it has become a necessity, and we need to do more to ensure that students across Texas and across the Nation have access to reliable broadband.

The CARES Act, which we passed in March, provides some relief on this front. It gave libraries $50 million in grants for digital connection. The demand for these funds was much higher than expected. It became obvious that we need to do more to help those who are on the wrong side of the digital divide.

The Senator from West Virginia, Mr. Manchin, and I teamed up to include and introduce the ACCESS the Internet Act, which will provide funding to both the Department of Education and libraries to make reliable internet a reality.

In addition to supporting virtual learning, this would also make access to telehealth more available to families. This has really been one of the most surprising positive developments out of this pandemic, and that is actually greater access to healthcare that we will be able to reach through telehealth and Mental Health Services online. Our bill includes funding for healthcare providers, including the Department of Veterans Affairs, to get more patients connected so they can utilize these telehealth services. As we make a push for progress on the next relief bill, I will continue fighting for resources for our students and teachers, and that includes reliable access to the internet.

Despite this August work period looking much different from years prior, I was still able to connect with tens of thousands of Texans virtually and over the phone and safely meet many of them in person. As I traveled, I was able to hear how our schools, our healthcare facilities, our food banks, local governments, and more have been able to use the Federal coronavirus funding provided for in the CARES Act. The feedback and insight I received was invaluable to my work in the Senate, and it is more important than ever as we continue negotiations on the next coronavirus relief bill.

This is going to be a busy month in the Senate. We need to pass legislation to bolster our response to this virus, support our students and teachers, help those in need of financial assistance, and ensure that our healthcare response remains robust.

We are just 3 weeks away from the end of the fiscal year, including a government shutdown unless we can reach an agreement on a funding bill. Complicating matters even further, we are at the peak of hurricane season, which may not seem like as big a deal in DC, but I guarantee, we have our eyes on the remote areas of West Texas, and the Gulf of Mexico that could well end up onshore.

Hurricane Hanna, for example, struck South Texas in July and hit our farmers and producers hard, as well as flooding out many, many homes and displacing families. A couple of weeks ago, Hurricane Laura tore through the Gulf of Mexico.

Though the brunt of Laura hit other neighbors in Louisiana, for which we are very sorry, we are very glad that it did little damage in Southeast Texas, but it still did some significant damage. I was able to join the Governor, Lieutenant Governor, and Senator Cruz for a visit to Orange to survey the damage and speak with local officials about the impact of the storm. I am committed to providing my constituents in Texas with the resources needed to recover from whatever this hurricane season may bring. I will be keeping a close eye on the weather forecast as we move through what has already been an active hurricane season.

We have a lot of work to do in the next few weeks. Though we weren’t able to make progress on a coronavirus bill in July, I was on almost virtually daily conference calls with the White House and Secretary Mnuchin talking about the way forward. I am more optimistic today than I have been to this point in this fight. I have ultimately made an agreement. I hope my colleagues have heard from their constituents about how important relief is and that we can come together at such a critical point in our fight against COVID-19.

Mr. SCHUMER. Madam President, 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. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, in the 3 weeks since the Senate last met, America eclipsed 6 million confirmed cases of COVID-19. Nearly 190,000 Americans have died, and those totals climb by tragic amounts each day. Too many businesses remain closed, schools begin the year under a dark cloud of uncertainty, and our economy faces the greatest crisis since the Great Depression.

The United States is 11.5 million jobs short of where we were at the start of February, and the number of jobs that have been permanently lost is rising at an alarming rate. All of this reflects a tragic reality: President Trump has led the worst response to COVID-19 of any nation on Earth. It is what it is.

The economic pain of the pandemic was mitigated by our action in March when Democrats insisted on a robust stimulus bill that became the CARES Act. One of our policy included in that bill, enhanced unemployment benefits, has kept nearly 12 million Americans from poverty. Those benefits have...
now mostly expired, and the stimulus provided by the CARES Act has been exhausted. The pandemic and economic hardship for millions of American workers and families, however, is ongoing and painful.

Speaker Pelosi and I have been trying to negotiate with the White House in another round of relief. It has been arduous. Democrats offered to meet our Republican colleagues in the middle, but the White House has refused to make any significant compromises.

Here in the Senate, the Republican majority leader has kept the Senate on “pause” while the Nation suffered. When they tried to draft a relief package in July, Senate Republicans flailed for 2 weeks before announcing a series of separate, incoherent proposals that lacked the support of—surprise—Senate Republicans. It was so unpopular within the Republican conference that Leader McConnell never even brought it up for a vote.

Now, after more than 4 months of long inaction—after sitting on the sidelines while we tried to negotiate with a recalcitrant White House—Senate Republicans are finally realizing the damage their pause—the McConnell pause—has done to America and our Nation’s health. As they scramble to make up for this historic mistake, Senate Republicans appear dead set on another bill that doesn’t come close to addressing the problems in our country.

The Republicans are going to cut their original, inadequate $1 trillion “skinny” bill in half—maybe more—and put it up for a vote this week. Of course, it had no input—zero input—from the Democrats—completely partisan. In this Chamber, you need bipartisanship to get anything done. The Republicans call this a “skinny”—or “targeted”—proposal, but it would be more appropriate to call it “emaciated.” Shockingly, as the pandemic from this pandemic gets bigger and bigger, the Republicans think smaller and smaller. They are moving backward. Their proposal is completely inadequate and, by every measure, fails to meet the needs of the American people—with no money for rental assistance, nutrition assistance, the census, safe elections, and so many other things.

The bill, amazingly, will do almost nothing to help State and local governments that have already been forced to cut a million jobs since the pandemic began. This bill actually goes backward from the last Republican proposal. It does not even allow States to use existing relief funds to cover lost revenues. Even worse, this latest and sorriest Republican proposal is laden with poison pills that our colleagues know the Democrats would never support. The bill doesn’t provide enough funding to help our schools reopen safely—not close to what school superintendents say they need—but it includes funding for a partisan school choice program that has been long pushed by hardcore conservatives and Secretary DeVos. It provides immunity to corporations that put their workers in harm’s way, which, sadly, seems to be the only thing that the Republicans can consistently agree on. It even includes a provision that could fast-track oil and coal company bankruptcy. God forbid, our Republican friends miss an opportunity to reward corporate polluters in their coronavirus relief bill.

The Republicans call their bill “targeted.” Maybe they mean it is targeted to corporate donors. The presence of these poison pills should remove every shred of doubt that the true intent of this bill is anything but political. If Leader McConnell and the Republican majority were trying to achieve a result, they wouldn’t draft such a lame, partisan bill, loaded with poison pills, and rush it to the floor.

May we have order, please? The PRESIDING OFFICER (Mr. Cassidy). Yes, Mr. Leader, be careful not to impugn the motives of another. The leader suggested corporate donors. I issue that warning.

Mr. SCHUMER. The truth is, if you wanted to draft a bill that was certain to fail, this is it. This is one of the most cynical moves I have ever seen. We all know what is going on here. Leader McConnell had to create the most paltry, partisan, cynical bill because he has 20 Members of his caucus who don’t support anything. By his own admission, they want zero dollars, so Leader McConnell keeps whittling down the Republican proposal until he can find something—anything—that he can claim his party support. He had to throw in the right-wing’s favorite goodies to sweeten the pot to even approach the number of votes in his caucus to make it look like a Republican bill that had broad support.

Leader McConnell knows this bill won’t pass, and he knows that most of his Members don’t want it to pass. Amazingly, he seems happy with that situation. This is one of the most cynical moves I have ever seen in the middle of a pandemic—when Americans are crying out for relief.

This political exercise on the Republican side bears no relationship to the needs of our country. It has nothing to do with our States, our workers, our families, our children’s safety, or with what healthcare workers really need. It has everything to do with finding the bare minimum that Senate Republicans can support. While facing the greatest economic crisis in 75 years and the greatest health crisis in a century, Leader McConnell is not thinking about bipartisanship; he is looking for political cover.

As we begin the final work period before the November elections, the Democrats will keep pushing for a bipartisan, bicameral agreement that actually meets the urgent needs of the American people. For the good of the country, I hope—I pray—my Republican colleagues will join us in that effort.

POSTMASTER GENERAL

Mr. President, on another matter, tens of millions of Americans rely on the post office every day for their medication, veterans’ benefits, food, packages. And millions of Americans will also rely on the post office to vote in our national election. As President Trump deliberately attempts to erode Americans’ confidence in voting by mail, his hand-picked Postmaster General, Mr. DeJoy—a longtime Republican fundraiser and Trump donor—faces serious questions about politicizing the post office during an election year.

During his short tenure, Mr. DeJoy instituted drastic service changes to the Postal Service that caused enormous backlogs and delays in mail delivery. Only a massive public outcry from both sides of the aisle caused him to reverse his course, and now reports came out over the weekend that alleged that Mr. DeJoy, who he was the CEO of New Breed Logistics, may have been involved in an illegal straw donor scheme in which he pressured employees into financially supporting Republican candidates, using company bonuses as reimbursements.

If these reports are true, they constitute a serious violation of campaign finance law. The House has already announced it will investigate these claims. So it is time to state the obvious: the postal Board of Governors should suspend Mr. DeJoy as Postmaster General while these serious allegations are under investigation.

In the middle of a pandemic, America must have faith and confidence in the post office and those who lead it. I yield the floor.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

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

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

NOMINATION OF BRETT H. LUDWIG

Mr. JOHNSON. Mr. President, it is my privilege to recommend the Honorable Brett H. Ludwig to be the U.S. District judge for the Eastern District of Wisconsin. Judge Ludwig passed the State Bar of Wisconsin in 1992 and was admitted to the Federal Bar in 2001. Judge Ludwig has served as an Assistant U.S. Attorney and as a shareholder and member of the Board of Directors of a major bank. Judge Ludwig has served as a trial court judge in the State of Wisconsin and as a partner in the law firm of Nussbaum, Egan, and Ludwig from 1997 to 2013. Judge Ludwig currently serves as a United States Bankruptcy Judge for the Eastern and Western Districts of Wisconsin.

Since 1977, Judge Ludwig has served the people of Wisconsin and the U.S. Bankruptcy Courts for both the Eastern and Western Districts of Wisconsin. Judge Ludwig was born in rural north central Wisconsin and spent his childhood in the city of Colby, the birthplace of the cheese that bears its name. Both of his grandparents were dairy farmers, instilling in their children and grandchildren the values of hard work and
dedication that Wisconsin's farm families are known for.

Brett's father, Duane Ludwig, worked nearly 40 years at a factory making corrugated container boxes. His mother, Connie, worked as a receptionist, secretary, and medical records clerk. He learned from them to have a strong work ethic and to appreciate the importance of education.

Judge Ludwig graduated from Colby High School in 1987. He attended the University of Wisconsin-Stevens Point, graduating with the highest honors. He then attended the University of Minnesota Law School on a merit-based scholarship. He excelled in his class work, "grading on" to the Minnesota Law Review. He ultimately graduated magna cum laude, was named to the Order of the Coif, and then clerked for the Honorable George G. Fagg on the U.S. Court of Appeals for the Eighth Circuit.

Following his clerkship, Brett returned to Wisconsin to practice at Foley & Lardner in Milwaukee, the largest law firm in Wisconsin and one of the oldest law firms in the United States. In 2003, Foley & Lardner made him a partner, and he spent the next 14 years building a successful commercial litigation practice. In addition to trying more than a dozen complex, multi-million-dollar cases through judgment, he played a crucial role in firm management, chairing the Milwaukee office's recruiting and pro bono committees.

Brett's leadership and contribution to his field extended far beyond his firm. He was hired by the Marquette University Law School to serve as an adjunct professor teaching insurance law. He served a term on the State Bar Board of Governors and was active in the Eastern District of Wisconsin Bar Association. He was also active in marshaling the efforts of Milwaukee's largest law firms to commit time and lawyers to pro bono representations in the district court.

In 2017, Brett left private practice where he was selected to serve as a bankruptcy judge, where he presided over more than 12,500 bankruptcy cases, issued more than 20,000 orders, and adjudicated dozens of evidentiary hearings and trials—all while earning the respect of debtors, creditors, and their lawyers through his strong judicial temperament, empathy, and compassion.

Judge Ludwig has also shown a strong and clear commitment to the rule of law. His written decisions reflect that he is a judge who is committed to faithfully applying the Bankruptcy Code and rules as they are written. He has demonstrated that he is not and will not be an activist judge.

Judge Ludwig lives just outside Milwaukee with his wife, Melissa Bleidorn; their children, Madeline and Ryan; and a black lab, Chloe. I would like to thank Senator Baldwin for her support of our bipartisan nomination commission that has once again selected an excellent jurist.

I would like to thank the hard-working members of this commission for their time and dedication in finding and recommending Judge Brett Ludwig, who will serve our Nation and the people of Wisconsin in the Eastern District with distinction and honor.

Judge Ludwig has my full support, and I urge all my colleagues to vote yes on his confirmation.

I yield the floor.
proceed to legislative session for 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.

**ARMS SALES NOTIFICATION**

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

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

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

**DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.**

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 20–63. This notification relates to enhancements or upgrades from the level of sensitivity or capability described in the Section 36(b)(1) AECA certification 17–12 of June 23, 2017.

Sincerely,

HEIDI H. GRANT, Director.

Enclosures.

**TRANSMITTAL NO. 20–63**

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) **Prospective Purchaser:** Government of Australia.
(ii) **Sec. 36(b)(1), AECA Transmittal No.:** 17–12; Date: June 23, 2017; Military Department: Air Force.
(iii) **Description:** On June 23, 2017, Congress was notified by Congressional certification transmittal number 17–12 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of up to five (5) Gulfstream G–550 aircraft modified to integrate Airborne Intelligence, Surveillance, Reconnaissance, and Electronic Warfare (AISREW) mission systems, Global Positioning System (GPS) capability, secure communications, aircraft defensive systems; spares, including whole life cycle of airborne and ground segments; aircraft modification and integration; ground systems for data processing and crew training; ground support equipment; publications and technical data; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost was $1.5 billion. Major Defense Equipment (MDE) constituted $541 billion of this total.

This notification reports the inclusion of the following associated articles and services: spares and repair/return parts; consumables and support equipment; publications and technical documentation; maintenance, training and training equipment; U.S. Government and contractor flight test and certification, aircraft modification and integration, engineering, technical and logistics support services; and other related elements of logistical and program support. These additional items will result in an increase in non-MDE cost of $500 million, causing a revised total cost for non-MDE of $1.76 billion. Major Defense Equipment (MDE) will remain $1.41 billion. The total estimated case value will increase by $500 million to $1.8 billion.

(iv) **Significance:** The proposed articles and services will support Australia’s efforts to modernize its Electronic Warfare support capability and increases interoperability between the RAAF and the Royal Australian Air Force (RAAF).

(v) **Justification:** This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a major Non-NATO Ally that is a key partner of the United States in ensuring peace and stability around the world.

(vi) **Sensitivity of Technology:** The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

(vii) **Date Report Delivered to Congress:** August 26, 2020.

**ARMS SALES NOTIFICATION**

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

**DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.**

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20–56 concerning the Air Force’s proposed Letter(s) of Offer and Acceptance to the Government of France—C–130 Aircraft Support.

Mr. Risch. On the proposed sale, the Air Force proposes to sell the following classified articles and services estimated to cost $350 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT, Director.

**ENCLOSURES.**

**TRANSMITTAL NO. 20–56**

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

(i) **Prospective Purchaser:** Government of France.
(ii) **Total Estimated Value:** Major Defense Equipment $50 million. Other $300 million. Total $350 million.
(iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** Support for C–130 aircraft.


Non-MDE: Also included are AN/ARC–210 radios; AN/ARC–164 radios; L–3 CSW Multi-band Receiver/Transmitters; AN/ARN–153 Navigation Systems; AN/ARN–17 Radios; AN/P–321 Radar Receiver Transmitter Processor; ARC–190 High Frequency Receivers; AAR–60 Missile Launch Warning Systems; MT–S–A Forward Looking Infrared (FLIR) system; AN/APS–119 Identification Friend or Foe System; Joint Mission Planning System (JMP); encryption devices; spare and repair parts; software delivery and support; publications and technical documentation; U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistical and program support.

(iv) **Military Department:** Air Force (FR–D–QAM).
(v) **Prior Related Cases, if any:** GY–D–SUA and FR–D–SÆ.
(vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** None.
(vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Attached Annex.
(viii) **Date Report Delivered to Congress:** September 2, 2020.

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

POLICY JUSTIFICATION

France—C–130 Aircraft Support

The Government of France has requested to buy four (4) AE–2100D Turbo Prop engines and two (2) Multifunctional, Information Distribution System-Low Volume Terminal Block Upgrade Two (MIDS-LVT BU2). Also included are AN/ARC–210 radios; AN/ARC–164 radios; L–3 CSW Multiband Receiver/Transmitters; AN/ARN–153 Navigation Systems; AN/ARN–17 Radios; AN/P–321 Radar Receiver Transmitter Processor; ARC–190 High Frequency Receivers; AAR–60 Missile Launch Warning Systems; MT–S–A Forward Looking Infrared (FLIR) system; AN/APS–119 Identification Friend or Foe Systems; Joint Mission Planning System (JMP); encryption devices; spare and repair parts; software delivery and support; publications and technical documentation; U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistical and program support. The estimated total cost is $350 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve security of a Non-NATO Ally that is a key partner of the United States in ensuring peace and stability in Europe.
The proposed sale will improve France’s capability to meet current and future threats by providing the necessary sustained, services, and spare parts to support the French and German C-130 aircraft. France will have no difficulty absorbing these articles and/or services into its armed forces.

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

The principal contractor will be Lockheed Martin Corporation, Marietta, GA; Rolls Royce Cooperation, Indianapolis, IN; General Electric Aviation System, LTD/Dowty, Sterling, VA; Raytheon, Cedar Rapids, IA; and ViaSat, Carlsbad, CA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of (1) U.S. contractor representatives to France for a duration of three years to provide technical assistance and support to include field services, engineering, tech support and integrated logistics support management.

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

**TRANSMITTAL NO. 20–56**

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

**Annex Item No. vii**

(vii) Sensitivity of Technology:

1. The Rolls Royce AE 2100D3 TurboProp Engine is the primary powerplant on the C-130 Hercules military aircraft.

2. The MultiFunctional Information Distribution System—Low Volume Terminal (MIDS-LVT) is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. MIDS-LVT is intended to support key theater functions such as surveillance identification, air control, weapons engagement coordination, and direction for all services and allied forces.

The system provides jamming-resistant, wide-area communications on a Link-16 network and the Joint Tactical Information Distribution System (JTIDS) equipped platforms.

3. AN/AAR–60 Missile Launch Detection System (MLDS) is a passive, true imaging sensor device that is optimized to detect the radiation signature of a threat missile’s exhaust plume within the Ultra Violet (UV) solar blind spectral band. Functionally, the architecture detects incoming missile threats and indicates their direction of arrival with the ‘maximum’ of warning time.

The system is further noted as featuring ‘inherently’ high-spatial resolution, ‘advanced’ temporal processing, a ‘very high’ declaration rate of elimination, and incorporating the alarm rates, ‘fast’ threat detection and the automatic initiation of appropriate countermeasures. Physically, a typical application comprises four to six self-contained detector units each of which provides ‘full’ signal processing.

4. AN/AAS-45 MTS–A Forward Looking Infrared (FLIR) system integrates electro-optical, infrared, laser designation, and laser illumination capabilities to provide superior detection, ranging, and tracking. The system features high rate stabilization across six axis and flexible operating modes including integrated line-of-sight targeting and target tracking, using center of signature and target signature tracks. The system contains an Inertial Measurement Unit on the gimbal to enable accurate target geo-location. The MTS–A is capable of integration onto fixed-wing, rotary-wing, and unmanned air vehicle platforms.

5. Joint Mission Planning System (JMPS) is a multi-platform PC based mission planning system.

6. The highest level of classification of defense articles, components, and services included in this Letter of Offer (Section 36(b)(1)) of the Arms Export Control Act, as amended, is SECRET.

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

8. A determination has been made that France can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government.

9. All defense articles and services listed in this transmittal have been authorized for release and export to the France.

**ARMs SALES NOTIFICATION**

Mr. RISCH. Madam President, section 36(b) of the Arms Export Control Act requires the U.S. Government to receive prior notification of certain proposed arms sales as defined by that statute.

Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

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

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

**DEFENSE SECURITY**

**COOPERATION AGENCY,**

**Arlington, VA.**

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

DEAR Mr. Chairman: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20–54 concerning the Air Force’s proposed Letter(s) of Offer and Acceptance to the Government of Japan related to the AIM-120C–8 Advanced Medium Range Air-to-Air Missiles (AMRAAM).

The proposed sale of AIM–120C–8 Advanced Medium Range Air-to-Air Missiles (AMRAAM) to the Government of Japan—AIM–120C–8 Advanced Medium Range Air-to-Air Missiles (AMRAAM) is vital to U.S. national interest to assist Japan in developing and maintaining a strong and effective self-defense capability.

The proposed sale will provide Japan a critical air defense capability as a result of this proposed sale.

The proposed sale of missiles and missile systems of this type would have no known offset arrangements proposed in connection with this potential sale.

Implementation of this sale will not require the assignment of U.S. Government or contractor representatives in Japan.

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

**TRANSMITTAL NO. 20–54**

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

**Annex Item No. vii**

(vii) Sensitivity of Technology:

1. Proposal for a multi-platform PC based mission planning system.

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

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

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

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

The proposed sale will involve the release of sensitive technology to the Government of Japan related to the AIM-120C–8 Advanced Medium Range Air-to-Air Missiles (AMRAAM). The AIM-120C–8 AMRAAM is a supersonic, air launched, aerial intercept, guided missile featuring digital technology
and micro-miniature solid-state electronics. Purchase will include AMRAAM Guidance Section spares. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high- and low-flying and maneuvering targets. The AIM-120C-8 is a form, fit, function replacement for the AIM-120C-7 and is the next generation to be produced.

2. The highest level of classification of information included in this potential sale is SECRET.

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

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

5. All defense articles and services listed in this transmittal have been authorized for release and export to Japan.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20–57 concerning the Air Force’s proposed Letter(s) of Offer and Acceptance to the Government of Spain for defense articles and services; and other related elements of logistical and program support.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

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

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

5. All defense articles and services listed in this transmittal have been authorized for release and export to Spain.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No.
Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of the United Kingdom

(ii) Total Estimated Value:

Major Defense Equipment $42 million. Other $4 million.

Total $46 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration

Major Defense Equipment (MDE):

Three hundred ninety-five (395) AGM-114R2 Hellfire Missiles.

Non-MDE: Also included is technical assistance, publications, integration support, and other related elements of logistics and program support.

(iv) Military Department: Army (UK-B-WUG).

(v) Prior Related Cases, if any: UK-B-W3D, UK-B-WSA, UK-B-WQU.

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

(vii) Sensitivity of Technology: The Government of the United Kingdom—Hellfire Missiles

The Government of the United Kingdom has requested to buy three hundred ninety-five (395) AGM-114R2 Hellfire missiles. Also included is technical assistance, publications, integration support, and other related elements of logistics and program support. The estimated total cost is $46 million.

1. The AGM-114R2 Hellfire missile is used against heavy and light armored targets, thin skinned vehicles, urban structures, bunkers, caves and personnel. The missile is inertial and GPS (Global Positioning System) guided, with a variable delay fuse and improved safety and reliability. The Hellfire II multipurpose warhead variant (AGM-114R) allows selection of a warhead type that is compatible to a specific target type. The AGM-114R is capable of being launched from Army rotary-wing and UAS platforms and provides the pilot increased operational flexibility.

2. The highest level of classification of defense articles, components, and services included in this transaction is SECRET.

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

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

5. All defense articles and services listed in this transmittal have been authorized for release and export to the United Kingdom.

ADDITIONAL STATEMENTS

TRIBUTE TO CANDACE FRANKS

- Mr. BOOZMAN. Madam President, I rise today to recognize Commissioner Candace Franks for all she has accomplished over her 40-year career with the Arkansas State Bank Department, ASBD. She will retire as department commissioner in October, an especially significant milestone given her appointment as the first female in this role and her tenure as the longest serving commissioner in ASBD history.

Commissioner Franks’ leadership at the ASBD has directly improved the economy of the communities and citizens by ensuring safe, convenient, and competitive banking. The department was established in 1903 to fulfill a simple yet essential role: regulate Arkansas banks and bank holding companies. Since her arrival at the department, she has worked tirelessly to achieve the mission of safety and sound financial institutions that garner public confidence. An impressive statistic demonstrates this dedication: While she was department commissioner from 1980 to 1983, the department oversaw institutions holding $7 billion in assets; as she leaves in 2020, the institutions now hold over $123 billion in assets.

She grounds herself in the notion that hard work, commitment, and patience pay off. After completing three postsecondary degrees—two at Arkansas State University in Jonesboro and one at the University of Arkansas at Little Rock Bowen School of Law—she joined the ASBD as general counsel in 1980. She served until she was promoted to deputy commissioner and general counsel in 1995, before her appointment to commissioner in 2007.

Commissioner Franks’ ability to lead, guide, and better the State of Arkansas extends beyond her critical role in the financial sector. From 2014 to 2015, she served as chairman of the Conference of State Bank Supervisors, where she is now chair emeritus. She also currently serves as chair of the Arkansas Public Employees Retirement System after being appointed to the board of trustees by Governor Asa Hutchinson in 2017. Additionally, she serves as a trustee on the Arkansas Teachers Retirement System and the State Board of Finance.

It is with no surprise that Commissioner Franks has been repeatedly recognized for her accomplished career and influence in Arkansas. For three consecutive years—1996, 1997, and 1998—she was honored by Arkansas Business as one of the “Top 100 Women in Arkansas.” In 2010, she was recognized by the same publication as one of 20 “Women of Influence” in Arkansas.

On behalf of Arkansas’ financial institutions, and the ASBD, I thank Commissioner Candace Franks for her dedication to developing a healthy banking system that improves the quality of life in Arkansas. I wish her well in her retirement.

TRIBUTE TO DONNA KELLY-WILLIAMS

- Ms. WARREN. Madam President, I would like to offer my congratulations to Donna Kelly-Williams as she retires as president of the Massachusetts Nurses Association, where she has represented our nurses and the patients they serve since 2009. Beginning her professional career in 1974, she aided nurses in the newborn nursery at the Cambridge Hospital, cementing her position for the Nurses Profession. Following nursing school, she served as a medical-surgical nurse and then as a pediatric nurse before eventually coming full circle and returning to the maternity unit. She has spent her entire nursing career serving her community at Cambridge Hospital in Cambridge, MA. Throughout her career, she has always been committed to creating environments where every nurse is respected and valued for their contributions. This commitment and passion for advocacy led her to become involved in the Massachusetts Nurses Association, first joining the bargaining unit at Cambridge Hospital and serving in this capacity for two decades.

She then served as vice president of the Massachusetts Nurses Association and on the board of directors before she was elected president in 2009. As president, Donna led the union as they became a part of National Nurses United, the largest union of registered nurses in history. She understood this participation enabled members to have an even greater impact on national pushes for legislation, including healthcare and
The message also announced that pursuant to 50 U.S.C. 3355a, the Minority Leader appoints the following individual to the Public Interest Declassification Board to fill the existing vacancy thereon: Mr. Harold W. "Trey" Gowdy, III, of Spartanburg, South Carolina.

**MESSAGES FROM THE PRESIDENT**

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

**EXECUTIVE MESSAGES REFERRED**

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

**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 bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 8015. An act to maintain prompt and reliable postal services during the COVID-19 health emergency for other purposes.

H.R. 8089. An act to amend the Immigration and Nationality Act to expand premium processing for certain immigration benefits, and for other purposes.

H.J. Res. 88. Joint resolution providing for the appointment of Franklin D. Raines as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that pursuant to section 4003(e) of the 21st Century Cures Act (Public Law 114–255), and the order of the House of January 3, 2019, the Speaker reappoints the following individual on the part of the States submitting sundry nominations from the President of the United States, without amendment:

S. 2898. A bill to amend title XIX of the Social Security Act, to provide for a full annuity supplement for certain air traffic controllers (Rept. No. 116–263).

**REPORTS OF COMMITTEES**

The following reports of committees were submitted:

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 481. A bill to encourage States to require pharmaceutical benefit managers to disclose certain information, and for other purposes (Rept. No. 116–261).

S. 2890. A bill to authorize programs of the National Aeronautics and Space Administration, and for other purposes (Rept. No. 116–262).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2896. A bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers (Rept. No. 116–263).

**INTRODUCTION OF BILLS AND JOINT RESOLUTIONS**

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

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 4531. A bill to designate the community-based outpatient clinic of the Department of Veterans Affairs in Tallahassee, Florida, as the "Andrew K. Baker Department of Veterans Affairs Clinic," and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. CAPITO (for herself and Ms. WARREN):

S. 4532. A bill to amend title XXVII of the Public Health Service Act and the Patient Protection and Affordable Care Act to require coverage of hearing devices and systems in certain private health insurance plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Ms. HIRONO, Mr. MARKET, Mr. MERKLEY, and Ms. SMITH):

S. 4533. A bill to amend the Public Health Service Act to provide for public health research and investment into understanding and eliminating structural racism and police violence; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Mr. GRAHAM, and Mrs. BLACKBURN):

S. 4534. A bill to amend section 230 of the Communications Act of 1934 to modify the scope of protection from civil liability for "good Samaritan"blocking and screening of offensive material; to the Committee on Commerce, Science, and Transportation.

By Mr. VAN HOLLEN (for himself, Mr. TOOMY, Mr. CARDIN, Ms. HARRIS, and Mr. BOOKER):

S. 4535. A bill to authorize the President to award the Medal of Honor to Waverly B. Woodard, Jr., for acts of valor in World War II; to the Committee on Armed Services.

By Ms. WARREN (for herself, Mrs. MURRAY, Mr. BOOKER, Mr. BLUMENTHAL, Mr. MARKET, Mr. SANDERS, Mr. DURBIN, Ms. BALDWIN, Mr. CASEY, Mr. WYDEN, Mr. VAN HOLLEN, and Mr. MERKLEY):

S. 4536. A bill to report data on COVID-19 in Federal, State, and local correctional facilities, and for other purposes; to the Committee on the Judiciary.

By Mr. CRUZ:

S. 4537. A bill to provide for economic recovery, and for other purposes; to the Committee on Finance.

By Mr. DURBIN:

S. 4538. A bill to establish a Restore Employment in Natural and Environmental Work Conservation Corps in the Department of the Interior and the Department of Agriculture, and for other purposes; to the Committee on Environment and Public Works.

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

S. 4539. A bill to direct the Secretary of Health and Human Services and other Federal officials to compile into a searchable database information relating to Federal support for biomedical research and development related to COVID–19, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. WYDEN, Ms. HIRONO, Mrs. FEINSTEIN, Mr. KAINES, Mr. WARNER, and Ms. KLOBUCHAR):

S. 4540. A bill to provide that individuals may serve as poll workers for the November 3, 2020, general elections if registered to vote in the State in a location other than the location at which the individual serves; to the Committee on Rules and Administration.

By Mr. MERKLEY:

S. 4541. A bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain facilities in which payments are made under the Medicare Program; 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. RISCH (for himself, Mr. CARDIN, Mr. YOUNG, Mr. LANKFORD, Mr. RUBIO, Mr. MARKEY, Mr. COONS, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. DURKIN, Mr. WARNER, Mr. MERKLEY, and Mr. KAINES):

S. Res. 684. A resolution calling on the Government of Cameroon and separatist armed groups from the English-speaking Northwest and Southwest regions to end all violence, respect the human rights of all Cameroonians, and pursue a genuinely inclusive dialogue toward resolving the ongoing civil conflict in Anglophone Cameroon; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 117

At the request of Mr. SCHUMER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 117, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 150

At the request of Mr. WARNER, his name was added as a cosponsor of S. 150, a bill to provide for increases in the Federal minimum wage, and for other purposes.

S. 201

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 201, a bill to amend title 13, United States Code, to make clear that each decennial census, as required for the apportionment of Representatives in Congress among the several States, shall tabulate the total number of persons in each State, and to provide that no information regarding United States citizenship or immigration status may be elicited in any such census.

S. 256

At the request of Mr. TESORO, the name of the Senator from Arizona (Ms. SINKEMA) was added as a cosponsor of S. 256, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

S. 263

At the request of Mr. RUBIO, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 263, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act.

S. 2938

At the request of Mr. TOMEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2938, a bill to improve the construction and leasing of medical facilities of the Department of Veterans Affairs to women veterans, and for other purposes.

S. 3067

At the request of Ms. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 3067, a bill to recognize and honor the service of individuals who served in the United States Cadet Nurse Corps during World War II, and for other purposes.

S. 3250

At the request of Mr. CORNYN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3250, a bill to ensure U.S. Customs and Border Protection officers, agents, and other personnel have...
adequate synthetic opioid detection equipment, that the Department of Homeland Security has a process to update synthetic opioid detection capability, and for other purposes.

At the request of Mr. Tester, the name of the Senator from North Carolina (Mr. Tillis) 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.

At the request of Mr. Cruz, the name of the Senator from New Hampshire (Ms. Hassan) 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.

At the request of Mr. Tester, the names of the Senator from Maine (Ms. Collins) and the Senator from North Carolina (Mr. Tillis) were added as cosponsors of S. 3761, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide veterans service organizations and recognized agents and attorneys opportunities to review Department of Veterans Affairs disability rating determinations before they are finalized, and for other purposes.

At the request of Mr. Menendez, the names of the Senator from Florida (Mr. Rubio), the Senator from Arizona (Ms. Sinema) and the Senator from South Dakota (Mr. Rounds) were added as cosponsors of S. 3612, 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.

At the request of Mr. Bennet, the name of the Senator from West Virginia (Mr. Manchin) was added as a cosponsor of S. 3814, a bill to establish a loan program for businesses affected by COVID–19 and to extend the loan forgiveness period for paycheck protection program loans made to the hardest hit businesses, and for other purposes.

At the request of Ms. Warren, the name of the Senator from Nevada (Ms. Cortez Masto) 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.

At the request of Mr. Sullivan, the name of the Senator from Georgia (Mr. Perdue) was added as a cosponsor of S. 3898, a bill to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, and for other purposes.

At the request of Mr. Moran, the name of the Senator from Arizona (Ms. McSally) was added as a cosponsor of S. 3899, a bill to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

At the request of Mr. Tester, the name of the Senator from New Hampshire (Ms. Hassan) was added as a cosponsor of S. 3899, supra.

At the request of Mr. Portman, the name of the Senator from Ohio (Mr. Portman) was added as a cosponsor of S. 4019, a bill to amend title 5, United States Code, to designate Juneteenth National Independence Day as a legal public holiday.

At the request of Ms. Warren, her name was added as a cosponsor of S. 4048, a bill to modify the deadlines for completing the 2020 decennial census of population and related tabulations, and for other purposes.

At the request of Mr. Durbin, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 4089, a bill to amend title 11, United States Code, to provide protections for employees and retirees in business bankruptcies.

At the request of Mr. Menendez, the name of the Senator from Illinois (Mr. Durbin) was added as a cosponsor of S. 4098, a bill to provide funding for the Neighborhood Reinvestment Corporation Act, and for other purposes.

At the request of Mr. Rubio, the names of the Senator from Illinois (Mr. Durbin) and the Senator from Texas (Mr. Cornyn) 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.

At the request of Mr. Cramer, the names of the Senator from Oklahoma (Mr. Inhofe) and the Senator from Wyoming (Mr. Enzi) were added as cosponsors of S. 4117, a bill to provide automatic forgiveness for paycheck protection program loans under $150,000, and for other purposes.

At the request of Ms. Collins, the names of the Senator from Iowa (Mr. Grassley), the Senator from Iowa (Ms. Ernst), the Senator from Missouri (Mr. Blunt) and the Senator from Kansas (Mr. Moran) were added as cosponsors of S. 4150, a bill to require the Secretary of the Treasury to provide assistance to certain providers of transportation services affected by the novel coronavirus.

At the request of Ms. Sinema, the names of the Senator from West Virginia (Mr. Manchin) and the Senator from Delaware (Mr. Coons) were added as cosponsors of S. 4166, a bill to require the Secretary of Veterans Affairs to secure medical opinions for veterans with service-connected disabilities who die from COVID–19 to determine whether their service-connected disabilities were the principal or contributory cases of death, and for other purposes.

At the request of Ms. Collins, the name of the Senator from Arizona (Ms. McSally), the Senator from Minnesota (Ms. Smith), the Senator from West Virginia (Mr. Manchin), the Senator from Virginia (Mr. Warner) and the
Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 4174, a bill to provide emergency appropriations to the United States Postal Service to cover losses related to the COVID-19 crisis and to direct the Board of Governors of the United States Postal Service to develop a plan for ensuring the long term solvency of the Postal Service.

S. 4190

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 4190, a bill to authorize the Director of the United States Geological Survey to establish a regional program to assess, monitor, and benefit the hydrology of saline lakes in the Great Basin and the migratory birds and other wildlife dependent on those habitats, and for other purposes.

S. 4191

At the request of Ms. WARNEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 4191, a bill to require a report on foreign investment in the pharmaceutical industry of the United States.

S. 4233

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 4233, a bill to establish a payment program for unexpected loss of markets and timber harvesting and timber hauling businesses due to the COVID–19 pandemic, and for other purposes.

S. 4258

At the request of Mr. CORYN, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Rhode Island (Mr. REED), the Senator from California (Mrs. FEINSTEIN), the Senator from Nevada (Ms. ROSEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Ohio (Mr. BROWN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 4258, a bill to establish a grant program for small live venue operators and talent representatives.

S. 4292

At the request of Mr. COTTON, the name of the Senator from Georgia (Mrs. LOEFLER) was added as a cosponsor of S. 4292, a bill to prohibit Federal funds from being made available to teach the 1619 Project curriculum in elementary schools and secondary schools, and for other purposes.

S. 4299

At the request of Ms. CORTEZ MASTO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4299, a bill to provide grants for tourism and events support and promotion in areas affected by the Coronavirus Disease 2019 (COVID–19), and for other purposes.

S. 4317

At the request of Mr. CORYN, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Montana (Mr. DAINES), the Senator from South Carolina (Mr. SCOTT) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 4317, a bill to lessen the burdens on interstate commerce by discouraging insubstantial lawsuits relating to COVID–19 while preserving the ability of individuals and businesses that have suffered real injury to obtain complete relief.

S. 4374

At the request of Mr. MENENDEZ, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 4374, a bill to establish a Government-wide initiative to promote diversity and inclusion in the Federal workforce, and for other purposes.

S. 4396

At the request of Mr. MERKLEY, the names of the Senator from California (Ms. HARRIS), the Senator from California (Mrs. FEINSTEIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 4395, a bill to amend title 46, United States Code, to authorize maritime transportation emergency relief, and for other purposes.

S. 4402

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 4402, a bill to amend the Federal Water Pollution Control Act to clarify certain actions that would have been authorized under Nationwide Permit 12 and other Nationwide Permits, and for other purposes.

S. 4422

At the request of Mr. WICKER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Texas (Mr. CORNYN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 4422, a bill to establish the Office of Minority Broadband Initiatives within the National Telecommunications and Information Administration, and for other purposes.

S. 4423

At the request of Mr. BROWN, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 4423, a bill to amend title XI of the Social Security Act to provide the Secretary of Health and Human Services with the authority to temporarily modify certain Medicare requirements for hospice care during the COVID public health emergency.

S. 4464

At the request of Ms. WARREN, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 4464, a bill to amend the Federal Reserve Act to add additional demographic reporting requirements, to modify the goals of the Federal Reserve System, and for other purposes.

S. 4473

At the request of Mr. WARNEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 4473, a bill to amend title 17, United States Code, to address circumvention of copyright protection systems with respect to the maintenance or repair of critical medical infrastructure, and for other purposes.

S. 4491

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 4491, a bill to designate methamphetamine as an emerging threat, and for other purposes.

S. 4493

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4493, a bill to amend the Inspector General Act of 1978 to establish an Inspector General of the Office of the United States Trade Representative, and for other purposes.

S. 4526

At the request of Mr. BARRASSO, the Senator from Wyoming (Ms. BALDWIN) was added as a cosponsor of S. 4526, a bill to ensure that COVID–19-related Federal programs and assistance provide for the translation of informational materials relating to awareness, screening, testing, and treatment for COVID–19 into priority languages.

S. RES. 599

At the request of Mr. TOOMEY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Res. 509, a resolution calling upon the United Nations Security Council to adopt a resolution on Iran that extends the dates by which Annex B restrictions under Resolution 2231 are currently set to expire.

S. RES. 658

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. CUMMINS) was added as a cosponsor of S. Res. 658, a resolution calling for a free, fair, and transparent presidential election in Belarus taking place on August 9, 2020, including the unimpeded participation of all presidential candidates.

S. RES. 670

At the request of Ms. WARREN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 670, a resolution recognizing the seriousness of polycystic ovary syndrome (PCOS) and expressing support for the designation of September 2020 as “PCOS Awareness Month”.

S. RES. 672

At the request of Mr. GRAHAM, the names of the Senator from Maine (Ms. COLLINS), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. Res. 672, a resolution designating September 2020 as National Democracy Month as a time to reflect
on the contributions of the system of government of the United States to a more free and stable world.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 4538. A bill to establish a Restore Employment in Natural and Environmental Work Conservation Corps in the Department of the Interior and the Department of Agriculture, and for other purposes; to the Committee on Environment and Public Works.

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

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

S. 4538

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 “Restore Employment in Natural and Environmental Work Conservation Corps Act” or the “RENEW Conservation Corps Act”.

SEC. 2. FINDINGS.

(a) FINDINGS.—Congress finds that—

(1) as a result of the Coronavirus Disease 2019 (COVID–19) pandemic, more than 40,000,000 people in the United States have filed claims for unemployment benefits since March 2020, which is a level of unemployment not seen since the Great Depression;

(2) investments in fish, wildlife, and habitat restoration and outdoor recreation infrastructure generate as many as 33 jobs per $1,000,000 invested, as demonstrated by the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115);

(3) the outdoor recreation economy—

(A) generates $887,000,000,000 in economic activity each year, which is 2.2 percent of the gross domestic product of the United States, according to the Bureau of Economic Analysis; and

(B) is a fast growing sector of the United States economy before the Coronavirus Disease 2019 (COVID–19) pandemic;

(4) the Federal Government and State and local governments and agencies have many “shovel-ready” projects and green infrastructure maintenance backlog projects that would provide work for the unemployed in the United States;

(5) many conservation and wildlife agencies in the United States have experienced, and access to outdoor recreation opportunities of people of the United States on completion of the projects;

(6) natural resources located on dedicated conservation land are in disrepair or degraded and in need of land-intensive rehabilitation, restoration, and enhancement works cannot be carried out at existing staffing levels;

(7) enhancing and maintaining environmentally and recreationally important land and waters through the participation of unemployed individuals in the United States in a conservation corps could—

(A) provide critical employment, education, and skill development opportunities to the individuals;

(B) prepare the individuals for permanent jobs in the conservation field; and

(C) improve the economy and environment of the United States; and

(7) existing networks of conservation corps are in place but need additional resources in order to carry out the activities of the conservation corps to meet growing deferred maintenance needs on public land.

(b) PURPOSES.—The purposes of this Act are—

(1) to employ, during the 5-year period beginning on the date of enactment of this Act, a total of 1,000,000 people in the United States in dedicated conservation land projects to support the growing backlog of deferred conservation land projects;

(2) to expose Participants to public service while furthering the understanding and appreciation of the Participants of the natural and cultural resources of the United States; and

(3) existing networks of conservation corps organizations working across the United States while providing for expanded participation in urban centers.

SEC. 3. DEFINITIONS.

In this Act:

(CORPS).—The term “Corps” means the Environmental Work Conservation Corps established under section 6(a).

(ELIGIBLE LOCAL AGENCY).—The term “eligible local agency” means an eligible participant enrolled in the Corps by Program partners.

(ELIGIBLE PARTICIPANT).—The term “eligible participant” means an individual who—

(1) as a result of the Coronavirus Disease 2019 (COVID–19) pandemic, more than 40,000,000 people in the United States have filed claims for unemployment benefits since March 2020, which is a level of unemployment not seen since the Great Depression;

(2) investments in fish, wildlife, and habitat restoration and outdoor recreation infrastructure generate as many as 33 jobs per $1,000,000 invested, as demonstrated by the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115);

(3) the outdoor recreation economy—

(A) generates $887,000,000,000 in economic activity each year, which is 2.2 percent of the gross domestic product of the United States, according to the Bureau of Economic Analysis; and

(B) is a fast growing sector of the United States economy before the Coronavirus Disease 2019 (COVID–19) pandemic;

(4) the Federal Government and State and local governments and agencies have many “shovel-ready” projects and green infrastructure maintenance backlog projects that would provide work for the unemployed in the United States;

(5) many conservation and wildlife agencies in the United States have experienced, and access to outdoor recreation opportunities of people of the United States on completion of the projects;

(6) natural resources located on dedicated conservation land are in disrepair or degraded and in need of land-intensive rehabilitation, restoration, and enhancement works cannot be carried out at existing staffing levels;

(7) enhancing and maintaining environmentally and recreationally important land and waters through the participation of unemployed individuals in the United States in a conservation corps could—

(A) provide critical employment, education, and skill development opportunities to the individuals;

(B) prepare the individuals for permanent jobs in the conservation field; and

(C) improve the economy and environment of the United States; and

(7) existing networks of conservation corps are in place but need additional resources in order to carry out the activities of the conservation corps to meet growing deferred maintenance needs on public land.

(b) PURPOSES.—The purposes of this Act are—

(1) to employ, during the 5-year period beginning on the date of enactment of this Act, a total of 1,000,000 people in the United States in dedicated conservation land projects to support the growing backlog of deferred conservation land projects;

(2) to expose Participants to public service while furthering the understanding and appreciation of the Participants of the natural and cultural resources of the United States; and

(3) existing networks of conservation corps organizations working across the United States while providing for expanded participation in urban centers.

SEC. 4. RESTORE EMPLOYMENT IN NATURAL AND ENVIRONMENTAL WORK CONSERVATION CORPS.

(a) ESTABLISHMENT.—There is established in the Department of the Interior and the Department of Agriculture the Restore Employment in Natural and Environmental Work Conservation Corps program under which Participants shall carry out—

(1) eligible projects administered by the Secretaries under this section; and

(2) eligible projects administered by Program partners under subsection (a) or (b) of section 5.

(b) PARTICIPANTS.—

(1) IN GENERAL.—The Corps shall consist of—

(A) eligible participants who are enrolled in the Corps by the Secretaries; and

(B) eligible participants who are enrolled in the Corps by Program partners.

(2) REQUIREMENT.—In enrolling eligible participants in the Corps, the Secretaries shall—

(A) ensure that Participants are provided at a wage rate that is appropriate for the type of work performed by the Participant, but not less than $15 per hour (to be increased each year based on increases in the Consumer Price Index for the year).

(B) provide curricula to Participants that improve the future job prospects of Participants, including through making available to Participants registered apprenticeships and other pathways to certification.

SEC. 5. STATE, TRIBAL, AND LOCAL FUNDING PROGRAM FOR ELIGIBLE PROJECTS.

(a) APPORTIONMENT TO STATES.—

(1) IN GENERAL.—For each fiscal year, subject to paragraphs (2) and (3), of the amounts made available for apportionment to the States for that fiscal year under section 7(2), the Secretaries shall apportion—

(A) 65 percent among States based on the proportion that—

(8) PROGRAM PARTNER.—The term “Program partner” means—

(A) a State or Indian Tribe administering a program for eligible projects or a grant program under subsection (a) or (b) of section 5, as applicable; and

(B) an eligible local agency carrying out eligible projects under section 6(a)(3)(B).

SEC. 6. RESTORE EMPLOYMENT IN NATURAL AND ENVIRONMENTAL WORK CONSERVATION CORPS.

(a) ESTABLISHMENT.—There is established in the Department of the Interior and the Department of Agriculture the Restore Employment in Natural and Environmental Work Conservation Corps program under which Participants shall carry out—

(1) eligible projects administered by the Secretaries under this section; and

(2) eligible projects administered by Program partners under subsection (a) or (b) of section 5.

(b) PARTICIPANTS.—

(1) IN GENERAL.—The Corps shall consist of—

(A) eligible participants who are enrolled in the Corps by the Secretaries; and

(B) eligible participants who are enrolled in the Corps by Program partners.

(2) REQUIREMENT.—In enrolling eligible participants in the Corps, the Secretaries shall—

(A) ensure that Participants are provided at a wage rate that is appropriate for the type of work performed by the Participant, but not less than $15 per hour (to be increased each year based on increases in the Consumer Price Index for the year).

(B) provide curricula to Participants that improve the future job prospects of Participants, including through making available to Participants registered apprenticeships and other pathways to certification.

SEC. 5. STATE, TRIBAL, AND LOCAL FUNDING PROGRAM FOR ELIGIBLE PROJECTS.

(a) APPORTIONMENT TO STATES.—

(1) IN GENERAL.—For each fiscal year, subject to paragraphs (2) and (3), of the amounts made available for apportionment to the States for that fiscal year under section 7(2), the Secretaries shall apportion—

(A) 65 percent among States based on the proportion that—

(8) PROGRAM PARTNER.—The term “Program partner” means—

(A) a State or Indian Tribe administering a program for eligible projects or a grant program under subsection (a) or (b) of section 5, as applicable; and

(B) an eligible local agency carrying out eligible projects under section 6(a)(3)(B).
(i) the number of unemployed individuals in each State, as determined based on the most recent data available; bears to
(ii) the total number of unemployed individuals in all States as so determined; and
(B) 33 1/3 percent among States based on the proportion that—
(i) the population of each State; bears to
(ii) the population of all States.
2. MINIMUM APPOINTMENT.—No State shall receive an appointment under paragraph (1) for a fiscal year in an amount less than $92,000.
3. USE OF FUNDS.—Of the amounts appropriated to a State under this subsection for a fiscal year—
(A) 50 percent shall be used by the State to administer a program for the conduct of eligible projects by Participants enrolled in the program by the State; and
(B) 50 percent shall be used by the State to administer a grant program in the State under which the State provides grants to eligible local agencies in the State for the conduct of eligible projects by Participants enrolled by the eligible local agencies.
(b) TRIBAL PROGRAM.—For each fiscal year, the Secretary of the Interior shall apportion, in accordance with a formula established by the Secretaries, amounts made available under section 7(d) to Indian Tribes to administer a program for the conduct of eligible projects by Participants enrolled in the program by the Tribe.
(c) USE OF FUNDS.—Of the amounts provided to a Program partner for the conduct of eligible projects under this section, the Program partner—
(1) may use not more than 20 percent for administrative costs of administering and carrying out eligible projects (including costs of recruiting and hiring individuals to carry out eligible projects);
(2) may use not more than 14 percent to provide continuing education to individuals administering or carrying out eligible projects;
(3) may use not more than 8 percent for the cost of equipment and supplies for eligible projects; and
(4) shall use the remainder of the amounts for the costs of salaries of individuals administering or carrying out eligible projects.
(d) OTHER FUNDS.—Any funds made available to a State or Indian Tribe under subsection (a) or (b) that are not obligated by the State or Indian Tribe at the end of the third fiscal year beginning after the fiscal year during which the funds were made available shall be withdrawn from the State or Indian Tribe and reallocated by the Secretaries to other States and Indian Tribes on the basis of need, as determined by the Secretaries, and in amounts that the Secretaries determine would best accomplish the purposes described in section 2(b).
SEC. 6. NATIONAL COUNCIL ON THE RESTORE EMPLOYMENT IN NATURAL AND ENVIRONMENTAL WORK CONSERVATION CORPS.
(a) ESTABLISHMENT.—The Secretary of the Interior, through the Secretary of Agriculture, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, the Chair of the Council on Environmental Quality, the Director of the Bureau of Indian Affairs, the Chief Executive Officer of the Corporation for National and Community Service, and the Assistant Secretary of the Army for Civil Works, through the execution of a memorandum of understanding, shall establish a National Council on the Restore Employment in Natural and Environmental Work Conservation Corps.
(b) MEMBERSHIP.—
(1) IN GENERAL.—The Council shall be composed of—
(A) the Director of the Bureau of Indian Affairs;
(B) the Director of the Bureau of Land Management;
(C) the Commissioner of Reclamation;
(D) the Chief of the Natural Resources Conservation Service; and
(E) the Director of the United States Fish and Wildlife Service;
(F) the Director of the National Park Service;
(G) the Administrator of the National Oceanic and Atmospheric Administration;
(H) the Director of the Office of Surface Mining Reclamation and Enforcement;
(I) the Chief of Engineers;
(J) the Chief of the Forest Service;
(K) the Director of the Office of Personnel Management;
(L) the Administrator of the Environmental Protection Agency;
(M) the Chair of the Council on Environmental Quality;
(N) the Chief Executive Officer of the Corporation for National and Community Service; and
(O) other members that the signatories to the memorandum of understanding under subsection (a) determine to be appropriate for membership on the Council, including—
(i) the Secretary of the Interior;
(ii) the Secretary of Education;
(iii) the Secretary of Health and Human Services;
(iv) the Secretary of Housing and Urban Development; and
(v) the Secretary of Transportation; and
(vi) the Secretary of Veterans Affairs.
(2) CHAIR.—(A) IN GENERAL.—The Council shall select a Chair from among the members of the Council described in subparagraphs (A) through (M) of paragraph (1) to serve as Chair of the Council as determined by the Council.
(B) ANNUAL MEETING.—The Chair of the Council shall call for any annual meetings of the Council during which the Council shall conduct an assessment of—
(1) the Corps; and
(2) eligible projects carried out by the Corps.
SEC. 7. AUTHORIZATION OF APPROPRIATIONS.
There is authorized to be appropriated to carry out this Act $55,800,000,000 for the period of fiscal years 2021 through 2025, of which—
(1) 37.5 percent shall be made available to the Secretaries to carry out eligible projects under section 6(a)(1); and
(2) 57.5 percent shall be made available to the Secretaries for apportionment to States under section 6(a), and
(3) 5 percent shall be made available to the Secretaries for apportionment to Indian Tribes under section 6(b).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 684—CALLING ON THE GOVERNMENT OF CAMEROON AND SEPARATIST ARMY GROUPS FROM THE ENGLISH-SPEAKING NORTHWEST AND SOUTHWEST REGIONS TO END ALL VIOLENCE, RESPECT THE HUMAN RIGHTS OF ALL CAMEROONIANS, AND PURSUE A GENUINELY INCLUSIVE DIALOGUE TOWARD RESOLVING THE CRISIS AND SUSTAINING THE PEACEFUL REBIRTH OF AN INDEPENDENT COMMONWEALTH IN ANGLOPHONE CAMEROON
Mr. RISCH (for himself, Mr. CARDIN, Mr. YOUNG, Mr. LANKFORD, Mr. RUBIO, Mr. MARKEY, Mr. COONS, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. DURBIN, Mr. WARNER, Mr. MERKLEY, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

WHEREAS Cameroon is beset with multiple security challenges, including a Boko Haram insurgency in the Far North, cross-border conflict and criminality by Central African militia groups to the east, and a civil war involving the Government of Cameroon and Anglophone separatist groups in the Northwest and Southwest regions;
WHEREAS the official actions and policies of the Francophone-dominated Government of Cameroon have repressed English-speaking Cameroonians politically and economically throughout the history of Cameroon, dating back to the reunification of British-administered Southern Cameroons and French Cameroon under a federal system in October 1961;
WHEREAS Paul Biya, the oldest head of state in Africa, has been the President of Cameroon since 1982, maintaining his grip on power by centralizing authority in the executive, determining the constitution of Cameroon, impeding democratic governance through corrupt practices, using security services to suppress any opposition, and conducting elections marred by widespread irregularities and allegations of fraud;
WHEREAS key decentralization reforms enacted in the Constitution of Cameroon in 1996, which mandated the establishment of a decentralized unitary state, “equality of all citizens before the law”, the equal status of French and English as official languages, and the establishment of local authorities with “administrative and financial autonomy”, remain largely unrealized, though an enabling law was adopted in December 2019;
WHEREAS, throughout his tenure, President Biya has spent extended periods in Europe, pursued government policies exclusively benefitting the Francophone majority in Cameroon, and crippled many parastatals and private enterprises in the Northwest and Southwest regions, further marginalizing English-speaking Cameroonians;
WHEREAS, in October 2016, English-speaking lawyers, students, and teachers in the Northwest and Southwest regions of Cameroon took to the streets peacefully protest government policies that left largely unrealized, though an enabling law was adopted in December 2019;
WHEREAS, amid broader protests across the Northwest and Southwest regions demanding greater autonomy from the central government of Cameroon, on October 1, 2017, the 50th anniversary of the end of British trusteeship over Southern Cameroons, the Anglophone crisis exploded, as separatist armed groups declared independence from Cameroon;
WHEREAS, in late 2017, Anglophone separatist armed groups attacked government officials and facilities as well as civilians and traditional leaders seen
as sympathetic to the Government of Cameroon and brutally enforcing “ghost town operations” (general strikes) and school boycotts in the Northwest and Southwest regions.

Whereas lengthy government-imposed shutdowns of the internet and social media in the Northwest and Southwest regions, totaling more than 30% of the previous year, have a devastating impact on the economies and educational institutions in the regions, undermined freedom of expression, prevented the dissemination of information related to the conflict, and restricted the ability of local communities to interact and communicate;

Whereas events in the Northwest and Southwest regions of Cameroon have caused considerable instability and human suffering, with more than 3,000 deaths linked to the conflict, according to United Nations agencies, approximately 3,000,000 people are in need of humanitarian assistance, approximately 60,000 Cameroonian refugees have fled to Nigeria, and approximately 700,000 persons are internally displaced;

Whereas the Department of State 2019 Country Report on Human Rights Practices for Cameroon cited “significant” human rights abuses by security forces and separatist armed groups in Cameroon, including unlawful or arbitrary killings, forced disappearances, arbitrary detention, torture and extrajudicial killings and detention, the use of force against civilians and nonviolent protesters, torture, rape, kidnappings, and other forms of violence against women, and violations of the freedoms of press, expression, and assembly;

Whereas the Rapid Intervention Battalion (BIR) in Cameroon, which has been accused of torture and extrajudicial killings and implicated in massacres like that of February 14, 2020, has received training and support from United States military units, potentially in contravention of legal requirements that “no assistance shall be furnished . . . to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights”;

Whereas, in February 2019, the Department of State announced that it would withhold some security assistance to Cameroon, including equipment and training, citing credible allegations of human rights violations by state security forces, along with a lack of investigation, accountability, and transparency by the Government of Cameroon in response;

Whereas, on December 26, 2019, the United States terminated the designation of Cameroon as a beneficiary under the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.) because “The Government of Cameroon currently engages in gross violations of internationally recognized human rights”;

Whereas a European Parliament resolution, passed on all of 2019, urged an inclusive political dialogue to resolve the Anglophone crisis, called for the conflict to be considered by the United Nations Security Council, and urged the European Union to “use the political leverage provided by development aid and other bilateral programmes to enhance the defense of human rights in Cameroon”;

Whereas France maintains considerable interests in Cameroon, including significant economic and security cooperation, but has not adequately used its influence to stem atrocities in Anglophone regions or support stronger international action to seek resolution to the conflict;

Whereas the United Nations Security Council’s resolution to address the crisis that sparked the conflict, the Major National Dialogue held in late September 2019, to address the grievances that sparked the conflict, including participation in a credible and inclusive dialogue between the Government of Cameroon and armed opposition groups to support a resolution of the Anglophone crisis;

Whereas, in September 2019, President Biya hastily announced a Major National Dialogue, chaired by Prime Minister Ngue for September 30 to October 4, 2019, in Yaoundé, “to examine the ways and means to respond to the deeply-held aspirations of the populations in the Northwest and Southwest”;

Whereas the Major National Dialogue led to some concessions by the Government of Cameroon on broader democratization issues, including the release of some political prisoners, including the leader of the Cameroon Renaissance Movement, Maurice Kamto, and some of his associates after nine months of detention, attempts at conflict resolution have failed to bring all parties to the table, as high levels of deaths, brutality, and suffering continue;

Whereas national and international organizations, including human rights groups, the United Nations, and the African Union, unanimously underlined its support of the Major National Dialogue in February 2019, for a global ceasefire in all conflicts as the world battles the COVID-19 pandemic; and

Whereas there is a significant Cameroonian diaspora in the United States, and Cameroon is a longstanding security partner and aid recipient of the United States, participating in the Trans-Sahara Counterterrorism Partnership (TSCTP) led by the Department of State and in United Nations-led efforts to combat Boko Haram and the Islamic State-West Africa, both of which have mounted terrorist operations in the Far North region of Cameroon since 2017. Therefore, the Senate—

Resolved. That the Senate—

(1) strongly condemns abuses committed by state security forces and armed groups in the Northwest and Southwest regions of Cameroon, including unlawful or arbitrary killings and detentions, the use of force against civilians and nonviolent protesters, torture, rape, kidnappings, and other forms of violence against women, and violations of the freedoms of press, expression, and assembly;

(2) urges all parties to the Anglophone conflict in Cameroon, including political opposition groups to—

(A) conclude and uphold an immediate ceasefire;

(B) guarantee unfettered humanitarian access and assistance to the Northwest and Southwest regions;

(C) exercise restraint and ensure that political protests are peaceful, and to establish a credible process for an inclusive dialogue that includes all relevant stakeholders, including from civil society, to achieve a sustainable political solution that respects the rights and freedoms of all of the people of Cameroon;

(3) affirms that the United States Government continues to hold the Government of Cameroon responsible for safeguarding the safety, security, and constitutional rights of all citizens, regardless of their region of origin or the regions in which they reside, or their political beliefs or political views;

(4) urges the Government of Cameroon to—

(A) initiate a credible, inclusive, good-faith effort to end the armed conflict in the Northwest and Southwest regions of Cameroon by addressing the root causes of the crisis and grievances and seeking nonviolent solutions to resolve the conflict, including possibly involving an independent mediator in negotiations;

(B) follow through on initiatives developed to address the grievances that sparked the conflict, including the National Commission for the Promotion of Bilingualism and Multiculturalism, the Ministry of Decentralization and Local Development, and the National Disarmament, Demobilization, and Reintegration Committee;

(C) fully implement recommendations of the Major National Dialogue held in late 2019;

(D) respect the rule of law and the constitutional rights of all Cameroonian citizens, including members of the political opposition, civil society activists, and journalists;

(E) allow for credible, independent, and transparent investigations of all allegations of human rights abuses committed by all parties to the conflict, including those of the Rapid Intervention Battalion led by State Department officials;

(F) release all political prisoners and journalists currently detained and immediately stop all arbitrary detention, torture, forced disappearances, deaths in custody, and inhumane prison conditions; and

(G) work with United States law enforcement officials to thoroughly investigate and prosecute those responsible for the murder of Charles Wesco;

(5) urges the Anglophone armed separatist groups to—

(A) engage peacefully with government officials to express grievances and engage in nonviolent efforts to resolve the conflict, including participation in an inclusive dialogue, possibly involving an independent mediator;
(B) immediately cease human rights abuses, including killings of civilians, torture, kidnapping, and extortion; (C) immediately end the school boycott in the Northwest and Southwest regions and attacks on schools, teachers, and education officials, and allow for the safe return of all students to class; and (D) immediately release all kidnapped and detained civilians; (6) urges the Department of State, Department of the Treasury, and United States Agency for International Development, in coordination with other relevant Federal departments and agencies, to— (A) consider imposing targeted sanctions on individual government and separatist leaders “responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights; (B) press the Government of Cameroon to provide unfettered humanitarian access to vulnerable populations in the Northwest and Southwest regions of Cameroon; (C) support credible efforts to address the root causes of the conflict and to achieve sustainable peace and reconciliation and efforts to facilitate economic recovery of and fight coronavirus in the Northwest and Southwest regions; (D) support humanitarian and development programming, including to meet immediate needs, advance nonviolent conflict resolution and reconciliation, promote economic recovery and development, support primary and secondary education, and strengthen democratic processes, including political decentralization, enshrined as a fundamental principle of state governance in the Constitution of Cameroon; (E) continue to limit security assistance to Cameroon and ensure that United States training and equipment is not being used to facilitate human rights abuses in the Northwest and Southwest regions; (F) prioritize efforts to help develop and sustain effective, professional civilian oversight of law enforcement and security services in Cameroon to ensure they are held accountable for abuses; and (G) engage in an ongoing effort to ensure that the crisis in the Anglophone regions is discussed in international fora, including the United Nations Security Council, that focus on unifying international diplomatic engagement and response; and (7) urges members of the international community to— (A) join in a strategic collective effort to pressure the Government of Cameroon and separatist armed groups, including through the use of available diplomatic and punitive tools, to immediately conclude and uphold a ceasefire, participate in an inclusive and meaningful dialogue to address the root causes of the conflict and pending grievances, and seek nonviolent solutions to the conflict, including by possibly involving an independent and credible mediator; (B) mobilize and coordinate funding for local and international organizations to provide humanitarian and development assistance, including to fight coronavirus, to communities affected by the crisis in the Northwest and Southwest regions of Cameroon; (C) leverage bilateral relationships to encourage key partners of Cameroon, particularly France, to help foster a peaceful resolution to the crisis in the Northwest and Southwest regions of Cameroon and implement a mutually agreed-upon program to address longstanding grievances and marginalization; and (D) use regional and international fora, including the African Union, the Economic Community of Central African States and the United Nations Security Council to discuss the ongoing crisis in the Northwest and Southwest regions of Cameroon and push for a cessation of violence, an expedient resolution, the implementation of a mutually agreed-upon program for addressing the root causes and pending grievances, and the independent investigation and prosecution of human rights abuses and crimes committed against civilians.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2652. Mr. MCCONNELL proposed an amendment to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; as follows:

In lieu of the matter proposed to be inserted; insert the following:

SECTION 1. SHORT TITLE

This Act may be cited as the “Delivering Immediate Relief to America’s Families, Schools and Small Businesses Act”.

SEC. 2. TABLE OF CONTENTS

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.

DIVISION A—LIABILITY PROTECTIONS, CONTINUED RELIEF FOR SMALL BUSINESSES AND WORKERS, PUBLIC HEALTH ENHANCEMENTS, AND EDUCATIONAL SUPPORT

TITLE I—SUNSETS AND OFFSETS

Sec. 1001. Emergency relief and taxpayer protections.
Sec. 1002. Direct appropriations.
Sec. 1003. Limitation of authority.
Sec. 1004. Rescissions.

TITLE II—CORONAVIRUS LIABILITY RELIEF

Sec. 2002. Findings and purposes.

Subtitle A—Liability Relief

PART I—LIABILITY LIMITATIONS FOR INDIVIDUALS AND ENTITIES ENGAGED IN BUSINESSES, SERVICES, ACTIVITIES, OR ACCOMMODATIONS

Sec. 2121. Application of part.
Sec. 2122. Liability; safe harbor.

PART II—LIABILITY LIMITATIONS FOR HEALTH CARE PROVIDERS

Sec. 2141. Application of part.
Sec. 2142. Liability for health care professionals and health care facilities during coronavirus public health emergency.

PART III—SUBSTANTIVE AND PROCEDURAL PROVISIONS FOR CORONAVIRUS-RELATED ACTIONS GENERALLY

Sec. 2161. Jurisdiction.
Sec. 2162. Limitation on suits.
Sec. 2163. Procedures for suit in district courts of the united states.
Sec. 2164. Demand letters; cause of action.

PART IV—RELATION TO LABOR AND EMPLOYMENT LAWS

Sec. 2181. Limitation on violations under specific laws.

Sec. 2182. Liability for conducting testing at workplace.
Sec. 2183. Joint employment and independent contracting.
Sec. 2184. Exclusion of certain notification requirements as a result of the COVID–19 public health emergency.

Subtitle B—Products

Sec. 2201. Applicability of the targeted liability protections for pandemic and epidemic products and security countermeasures with respect to covid–19.

Subtitle C—General Provisions

Sec. 2301. Severability.

TITLE III—ASSISTANCE FOR AMERICAN FAMILIES

Sec. 3001. Short title.
Sec. 3002. Extension of the Federal Pandemic Unemployment Compensation program.

TITLE IV—SMALL BUSINESS PROGRAMS

Sec. 4001. Small business recovery.

TITLE V—POSTAL SERVICE ASSISTANCE

Sec. 5001. COVID–19 funding for the United States Postal Service.

TITLE VI—EDUCATIONAL SUPPORT AND CHILD CARE

Subtitle A—Emergency Education Freedom Grants; Tax Credits for Contributions to Eligible Scholarship-granting Organizations

Sec. 6001. Emergency education freedom grants.
Sec. 6002. Tax credits for contributions to eligible scholarship-granting organizations.
Sec. 6003. Education Freedom Scholarships web portal and administration.
Sec. 6004. 320 account funding for homeschool and additional elementary and secondary expenses.

Subtitle B—Back to Work Child Care Grants

Sec. 6101. Back to Work Child Care grants.

TITLE VII—PANDEMIC PREPARATION AND STRATEGIC STOCKPILE

Sec. 7001. Sustained on-shore manufacturing capacity for public health emergencies.
Sec. 7002. Improving and sustaining State medical stockpiles.
Sec. 7003. Strengthening the Strategic National Stockpile.

TITLE VIII—CORONAVIRUS RELIEF FUND EXTENSION

Sec. 8001. Extension of period to use Coronavirus Relief Fund payments.

TITLE IX—CHARITABLE GIVING

Sec. 9001. Increase in limitation on partial above the line deduction for charitable contributions.

TITLE X—CRITICAL MINERALS

Sec. 10001. Mineral security.
Sec. 10002. Rare earth element advanced coal technologies.

TITLE XI—MISCELLANEOUS PROVISIONS

Sec. 11001. Emergency designation.

DIVISION B—CORONAVIRUS RESPONSE ADDITIONAL SUPPLEMENTAL APPROPRIATIONS ACT, 2020

SEC. 2. REFERENCES

 Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

S5448

CONGRESSIONAL RECORD — SENATE
September 8, 2020

PARIS—September 8, 2020

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TITLE I—SUNSETS AND OFFSETS

SEC. 1001. EMERGENCY RELIEF AND TAXPAYER PROTECTIONS.

Section 4003 of the CARES Act (15 U.S.C. 9063) is amended in subsection (e) by striking "Notwithstanding any other provision of law, amounts"

SEC. 1002. DIRECT APPLICATION.

Section 4027 of the CARES Act (15 U.S.C. 9063) is amended by adding at the end the following:

"(d) REDUCTION.—The appropriation made under this section shall be reduced, on January 1, 2021, by an amount equal to the difference between $450,000,000,000 and the aggregate amount of loans, loan guarantees, and other investments that the Secretary has made or committed to make under section 4003(b)(4) as of such date."

SEC. 1003. TERMINATION OF AUTHORITY.

Section 4029 of the CARES Act (15 U.S.C. 9063) is amended by adding at the end the following:

"(c) FEDERAL RESERVE PROGRAMS OR FACILITIES.

"(1) IN GENERAL.—Notwithstanding any other provision of law, after January 4, 2021, the Board of Governors of the Federal Reserve System and the Federal Reserve banks shall not make any loan, purchase any obligation, asset, security, or other investment, or make any extension of credit through any program or facility established under section 13(3) of the Federal Reserve Act (12 U.S.C. 343(b) in which the Secretary made a loan, loan guarantee, or other investment using funds appropriated under section 4027, other than any such loan, purchase, or extension of credit made under the CARES Act (15 U.S.C. 9011) in which the Secretary made a loan, loan guarantee, or other investment using funds appropriated under section 4027, or other than any such loan, purchase, or extension of credit made on or before January 4, 2021, provided that such loan, purchase, or extension of credit is made on or before January 18, 2021, in the terms and conditions of the program or facility as in effect on the date the complete application was submitted.

SEC. 2001. SHORT TITLE.

This title may be cited as the "SAFEGUARDING AMERICA’S FRONTLINE EMPLOYEES TO OFFER WORK OPPORTUNITIES REQUIRED TO KICKSTART THE ECONOMY ACT" or the "SAFE TO WORK ACT.

SEC. 2002. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The SARS-CoV-2 virus that originated in China and causes the disease COVID-19 has caused untold misery and devastation throughout the world, including in the United States.

SEC. 2003. REQUIREMENTS.

(b) Duties and Functions.—In carrying out the duties and functions of the Secretary under this title, the Secretary shall take appropriate actions to ensure that nonemergency employment and business operations of critical national importance are maintained and resumed as quickly and efficiently as possible without creating undue health and safety risks to workers, customers, and the public.

SEC. 2004. IMPLEMENTATION.

In carrying out the duties and functions of this title, the Secretary shall consult with, and make arrangements with, the following:

(1) the Federal Emergency Management Agency;

(2) State and local governments;

(3) the federal departments and agencies that have programs and activities that are necessary to respond to the needs of the States and local governments under this title;

(4) the public, including, but not limited to, congressional Committees and subcommittees; and

(5) the public sector.

SEC. 2005. LIMITATIONS ON ELIGIBILITY.

No funds are available under this title for purposes that are not consistent with the purposes of this title.

SEC. 2006. LIMITATION ON ELIGIBILITY.

(a) IN GENERAL.—Amounts made available under this title are available only for purposes that are consistent with the purposes of this title.

(b) LIMITATION ON ELIGIBILITY.—None of the funds available under this title may be used to support the activities of the Council of Economic Advisors.

SEC. 2007. LIMITATION ON ELIGIBILITY.

(a) IN GENERAL.—None of the funds made available under this title may be used for purposes that are not consistent with the purposes of this title.

(b) LIMITATION ON ELIGIBILITY.—None of the funds made available under this title may be used to support the activities of the Council of Economic Advisors.

SEC. 2008. LIMITATION ON ELIGIBILITY.

(a) IN GENERAL.—None of the funds made available under this title may be used for purposes that are not consistent with the purposes of this title.

(b) LIMITATION ON ELIGIBILITY.—None of the funds made available under this title may be used to support the activities of the Council of Economic Advisors.
(16) This risk is not purely local. It is necessarily national in scale. A patchwork of local and State rules governing liability in coronavirus-related lawsuits creates tremendous uncertainty for every person participating in interstate commerce and acts as a significant drag on national recovery. The aggregation of each individual potential liability into a substantial and unprecedented threat to interstate commerce.

(17) The accumulated economic risks for these potential defendants directly and substantially affects interstate commerce because, as a whole, they will prevent the free and fair exchange of goods and services across State lines. Such economic activity that, individually and in the aggregate, substantially affects interstate commerce is precisely the sort of conduct that should be subject to Federal regulation.

(18) Lawsuits against health care workers and facilities pose a similarly dangerous risk to interstate commerce. Interstate commerce depends upon this flow of goods and services until the virus is defeated, and that will not happen unless health care workers and facilities are free to combat vigorously the virus and treat patients with coronavirus and those otherwise impacted by the response to coronavirus.

(19) Protecting health care workers and facilities from onerous litigation even as they have done their level best to combat a virus about which very little was known when it arrived in the United States would divert important health care resources from hospitals and providers to courtrooms.

(20) Such a diversion would substantially affect interstate commerce by degrading the national capacity for combating the virus and saving patients, thereby substantially affecting national capacity for combating the virus and treat patients with coronavirus and other nonprofit institutions, and local governments decline to respond because of the risk of litigation. They may limit their output or engagement with customers and communities to avoid the risk of litigation. These individual economic decisions substantially affect interstate commerce because, as a whole, they will prevent the free and fair exchange of goods and services across State lines. Such economic activity that, individually and in the aggregate, substantially affects interstate commerce is precisely the sort of conduct that should be subject to Federal regulation.

(21) Congress also has the authority to determine the jurisdiction of the courts of the United States. In so doing, the standards for causes of action they can hear, and to establish the rules by which those causes of action should proceed. Congress therefore must act to prevent the overburdening of the courts with coronavirus-related liability.

(22) These rules necessarily must be temporary and carefully tailored to the interstate commerce the pandemic caused by the coronavirus pandemic. They must extend no further than necessary to meet this uniquely national crisis for which a patchwork of State and local tort laws would fail.

(23) Because of the national scope of the economic and health care dangers posed by the risks of coronavirus-related lawsuits, establishing temporary rules governing liability for certain coronavirus-related tort claims is a necessary and proper means of carrying into execution Congress’s power to regulate commerce among the several States.

(24) Because Congress must safeguard the investment of taxpayer dollars it made in the Coronavirus Aid, Relief, and Economic Security Act in furtherance of the purposes of Congress in the course of arranging for or providing for certain coronavirus-related tort claims is a necessary and proper means of carrying into execution Congress’s power to provide for the general welfare of the United States.

(b) PURPOSES.—Pursuant to the powers delegated to Congress by article I, section 8, clause 18 and section 2, clause 1 of the Constitution of the United States, the purposes of this title are—

(1) establish necessary and consistent standards or regulations specifically concerning the prevention or mitigation of the transmission of coronavirus issued by the Federal Government, or a State or local government with jurisdiction over an individual or entity, whether provided by executive, judicial, or legislative order; and

(2) with respect to an individual or entity that, at the time of the actual, alleged, feared, or potential for exposure to coronavirus caused the personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury—

(3) prevent the overburdening of the courts with coronavirus-related tort claims; and

(4) ensure that the Nation’s recovery from the coronavirus economic crisis is not burdened or slowed by the substantial risk of litigation;

(5) prevent litigation brought to extract settlements and enrich trial lawyers rather than vindicate meritorious claims;

(6) protect state and local governments from the burdens of potentially meritless litigation;

(7) ensure the economic recovery proceeds without artificial and unnecessary delay;

(8) protect the interests of the taxpayers by ensuring that emergency taxpayer support continues to aid businesses, workers, and health care providers rather than enrich trial lawyers; and

(9) protect the highest and best ideals of the national economy, so businesses can produce and serve their customers, Government can work, teachers can teach, students can learn, and believers can worship.

SEC. 2003. DEFINITIONS.

In this title—

(1) APPLICABLE GOVERNMENT STANDARDS AND GUIDANCE.—The term "applicable government standards and guidance" means—

(A) standards or regulations specifically concerning the prevention or mitigation of the transmission of coronavirus issued by the Federal Government, or a State or local government with jurisdiction over an individual or entity, whether provided by executive, judicial, or legislative order; and

(B) the care of any individual who is admitted to, or resides at, a health care provider; or

(C) the date on which there is no declaration under the Public Health Service Act (42 U.S.C. 247d–6d(b)) issued by the Secretary of Health and Human Services under section 319F–3(b) of the Public Health Service Act (42 U.S.C. 247d–6d(b)) (relating to medical countermeasures) that is in effect with respect to coronavirus, including the Declaration Under the Public Readiness and Emergency Preparedness Act (42 U.S.C. 247d–6c) issued by the Secretary of Health and Human Services on March 17, 2020.

(2) CORPORATION.—The term "coronavirus exposure action" does not include—

(A) a criminal, civil, or administrative enforcement action brought by the Federal Government or any State, local, or Tribal government; or

(B) a claim alleging intentional discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), disability, genetic information, or age.

(3) CORONAVIRUS-RELATED ACTION.—The term "coronavirus-related action" means a coronavirus exposure action or a coronavirus-related medical liability action.

(4) CORONAVIRUS-RELATED MEDICAL LIABILITY ACTION.—The term "coronavirus-related medical liability action" means a coronavirus exposure action or a coronavirus-related medical liability action.

(5) CORONAVIRUS-RELATED HEALTH CARE SERVICES.—The term "coronavirus-related health care services" means services provided by a health care provider, regardless of the location where the services are provided, that relate to—

(A) the diagnosis, prevention, or treatment of coronavirus;

(B) the assessment or care of an individual who the provider has confirmed suspected case of coronavirus; or

(C) the care of any individual who is admitted to, or resides at, a health care provider; or

(6) CORPORATIONS.—The term "coronavirus-related medical liability action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury;

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations; and

(7) CORONAVIRUS-RELATED MEDICAL LIABILITY ACTION.—The term "coronavirus-related medical liability action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(8) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(9) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(10) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(11) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(12) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(13) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(14) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(15) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and

(16) CORPORATIONS.—The term "coronavirus exposure action" means a civil action—

(A) brought by a person who suffered personal injury or is at risk of suffering personal injury, or a representative of a person who suffered personal injury or is at risk of suffering personal injury; and

(B) brought against an individual or entity engaged in businesses, services, activities, or accommodations of the individual or entity; and
(relating to covered countermeasures) that is in effect with respect to coronavirus, including the Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID–19 (85 Fed. Reg. 15158) issued by the Secretary of Health and Human Services on March 17, 2020.

(3) EXCLUSIONS.—The term “coronavirus-related medical liability action” does not include—

(i) a criminal, civil, or administrative enforcement action brought by the Federal Government or any State, local, or Tribal government; or

(ii) a claim alleging intentional discrimination in disaster relief on the basis of race, color, national origin, religion, sex (including pregnancy), disability, genetic information, or age.

(8) EMPLOYER.—The term “employer” includes any person, including an agent, volunteer (subject to subparagraph (C)), contractor, employee, or other entity, who—

(i) is required by Federal or State law to be licensed, registered, or certified to provide health care and is so licensed, registered, or certified (or is exempt from any such requirement);

(ii) otherwise authorized by Federal or State law to provide care (including services and supports furnished in a home or community-based residential setting under the State Medicaid program or a waiver of that program); or

(iii) considered under applicable Federal or State law to be a health care provider, health care professional, health care institution, or health care facility.

(B) INCLUSION OF ADMINISTRATORS, SUPERVISORS.—The term “health care provider” includes any licensed, registered, or certified health care facility administrator, executive, supervisor, board member or trustee, or another individual responsible for supervising, or monitoring the provision of coronavirus-related health care services in a comparable role.

(C) INCLUSION OF VOLUNTEERS.—The term “health care provider” includes volunteers that meet the following criteria:

(i) The volunteer is a health care professional providing coronavirus-related health care services.

(ii) The act or omission by the volunteer occurs—

(a) in the course of providing health care services that—

(aa) are within the scope of the license, registration, or certification of the volunteer, as defined by the State of licensure, registration, or certification; and

(bb) do not exceed the scope of the license, registration, or certification of a substantially similar health professional in the State in which such act or omission occurs; and

(b) in a good-faith belief that the individual being treated is in need of health care services.

(13) INDIVIDUAL OR ENTITY.—The term “individual or entity” means—

(A) any national union, corporation, company, trade, business, firm, partnership, joint stock company, vessel in rem, educational institution, labor organization, or similar organization or group of organizations;

(B) any nonprofit organization, foundation, society, or association organized for religious, charitable, educational, or other purposes; or

(C) any State, Tribal, or local government.

(14) LOCAL GOVERNMENT.—The term “local government” means a governmental entity of government within a State, including a—

(A) county;

(B) borough;

(C) municipal;

(D) city;

(E) town;

(F) township;

(G) parish;

(H) local public authority, including any public housing agency under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.);

(I) special district;

(J) school district;

(K) intrastate district;

(L) council of governments, whether or not incorporated as a nonprofit corporation under State law; and

(M) agency or instrumentality of—

(i) multiple units of local government (including units of local government located in different States); or

(ii) an intra-State unit of local government.

(15) MANDATORY.—The term “mandatory”, with respect to applicable government standards and guidance, means the standards or regulations are themselves enforceable by the issuing government through criminal, civil, or administrative action.

(16) PERSONAL INJURY.—The term “personal injury” means—

(A) actual or potential physical injury to an individual or death caused by a physical injury; or

(B) mental suffering, emotional distress, or similar injuries suffered by an individual in connection with a physical injury.

(17) STATE.—The term “State” means—

(A) 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, and any political subdivision or instrumentality thereof; and

(B) includes any agency or instrumentality of 2 or more of the entities described in subparagraphs (A).

(18) TRIBAL GOVERNMENT.—

(A) IN GENERAL.—The term “Tribal government” means the recognized governing body of an Indian Tribe or other entity that is within the scope of the term “Indian Tribe” as defined in section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301).

(B) INCLUSION.—The term “Tribal government” includes any subdivision (regardless of the laws and regulations of the jurisdiction in which the subdivision is organized or incorporated) of a governing body described in subparagraph (A) that—

(i) is wholly owned by that governing body; and

(ii) has been delegated the right to exercise 1 or more substantial governmental functions of the governing body.

(19) WILLFUL MISCONDUCT.—The term “willful misconduct” means an act or omission that is taken—

(A) intentionally to achieve a wrongful purpose; or

(B) knowingly without legal or factual justifi- cation; and

(C) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.

Subtitle A—Liability Relief

PART I—LIABILITY LIMITATIONS FOR INDIVIDUALS AND ENTITIES ENGAGED IN BUSINESS, SERVICES, ACTIVITIES, OR ACCOMMODATIONS

SEC. 2121. APPLICATION OF PART.

(a) CAUSE OF ACTION; TRIBAL SOVEREIGN IMMUNITY.—

(1) CAUSE OF ACTION.—

(A) IN GENERAL.—This part creates an exclusive cause of action for coronavirus exposure actions.

(B) LIABILITY.—A plaintiff may prevail in a coronavirus exposure action only in accordance with the requirements of this subtitle.

(C) APPLICATION.—The provisions of this part shall apply to—

(i) any cause of action that is a coronavirus exposure action that was filed before the date of enactment of this Act and that is pending on such date of enactment; and

(ii) any coronavirus exposure action filed on or after such date of enactment.

(2) PRESERVATION OF LIABILITY LIMITS AND DEFENSES.—Except as otherwise explicitly provided in this part, nothing in this part expands any liability otherwise imposed or limits any defense otherwise available under Federal, State, or Tribal law.

(3) IMMUNITY.—Nothing in this part abrogates the immunity of any State, or waives the immunity of any Tribal government. The limitations on liability provided under this part shall control in any action properly filed against a State or Tribal government pursuant to a duly executed waiver by the State or Tribe of sovereign immunity and stating claims within the scope of this part.

(b) PREEMPTION AND SUPERSEDURE.—

(1) GENERAL.—Except as described in paragraphs (2) through (6), this part preempts and supersedes any Federal, State, or Tribal law, including statutes, regulations, rules, orders, proclamations, or standards that are enacted, promulgated, or established under common law, related to recovery for personal injuries caused by, arising out of, or related to an actual, alleged, feared, or potential for exposure to coronavirus.

(2) STRICter LAws NOT preEMPTED OR SUPERSEDEd.—Nothing in this part shall be construed to affect the applicability of any provision of any Federal, State, or Tribal law that imposes stricter limits on damages or liabilities for personal injury caused by, arising out of, or related to an actual, alleged, feared, or potential for exposure to coronavirus, or otherwise affords greater protection to defendants in any coronavirus exposure action, than are provided in this part. Any such provision of Federal, State, or Tribal law shall be applied in addition to the requirements of this part and not in lieu thereof.

(3) WORKers’ COMPENSATION LAWS NOT preEMPTED OR SUPERSEDEd.—Nothing in this...
(a) REQUIREMENTS FOR LIABILITY FOR EXPOSURE TO CORONAVIRUS.—Notwithstanding any other provision of law, and except as otherwise provided in this section, no individual or entity engaged in businesses, services, activities, or accommodations shall be liable in any coronavirus exposure action unless the plaintiff can prove by clear and convincing evidence that:

1. In engaging in the businesses, services, activities, or accommodations, the individual or entity was not making reasonable efforts in light of all the circumstances to comply with the applicable government standards and guidance in effect at the time of the actual, alleged, feared, or potential for exposure to coronavirus; and

2. The individual or entity engaged in gross negligence or willful misconduct that caused an actual exposure to coronavirus; and

3. The actual exposure to coronavirus caused the personal injury of the plaintiff.

(b) REASONABLE EFFORTS TO COMPLY.—

1. APPLICABLE GOVERNMENT STANDARDS AND GUIDANCE.—

(A) IN GENERAL.—If more than 1 government to whose jurisdiction an individual or entity is subject issues applicable government standards and guidance, the applicable government standards and guidance issued by 1 or more of the governments conflict with the applicable government standards and guidance issued by 1 or more of the other governments, the individual or entity shall be considered to have made reasonable efforts to comply with the applicable government standards and guidance for purposes of subsection (a)(1) unless the plaintiff establishes by clear and convincing evidence that the individual or entity was not making reasonable efforts in light of all the circumstances to comply with any of the conflicting applicable government standards and guidance issued by any government to whose jurisdiction the individual or entity is subject.

(B) EXCEPTION.—If mandatory standards and regulations constituting applicable government standards and guidance issued by any government with jurisdiction over the individual or entity conflict with applicable government standards and guidance issued by any other government that are not mandatory and are issued by any other government with jurisdiction over the individual or entity by clear and convincing evidence that the individual or entity was not making reasonable efforts to comply with the applicable government standards and guidance for purposes of subsection (a)(1) by establishing by clear and convincing evidence that the individual or entity was not making reasonable efforts in light of all the circumstances to comply with the applicable government standards and guidance to which the individual or entity was subject.

(C) TIMING.—For purposes of subsection (a)(1), a change to a policy or practice by an individual or entity before or after the actual, alleged, feared, or potential for exposure to coronavirus, shall not be evidence of liability for the actual, alleged, feared, or potential for exposure to coronavirus.

(d) MEDIATION.—Changes to the policies, practices, or procedures of an individual or entity for complying with the applicable government standards and guidance after the time of the actual, alleged, feared, or potential for exposure to coronavirus, shall not be considered evidence of liability or culpability.

PART II—LIABILITY LIMITATIONS FOR HEALTH CARE PROVIDERS

SEC. 2141. APPLICATION OF PART.

(a) IN GENERAL.—

(1) CAUSE OF ACTION.—

(A) IN GENERAL.—This part creates an exclusive cause of action for coronavirus-related medical liability actions. A plaintiff may prevail in a coronavirus-related medical liability action only in accordance with the requirements of this subtitle.

(C) APPLICATION.—The provisions of this part shall apply to:

(i) any cause of action that is a coronavirus-related medical liability action that is brought under the date of enactment of this Act and that is pending on such date of enactment; and

(ii) any coronavirus-related medical liability action filed on or after such date of enactment.

(b) PRESERVATION OF LIABILITY LIMITS AND DEFENSES.—Except as otherwise provided in this part, nothing in this part expands any liability otherwise imposed or limits any defense otherwise available under Federal, State, or Tribal law.

(c) IMMUNITY.—Nothing in this part abrogates the immunity of any State, or State, or Tribal law, including statutes, regulations, rules, orders, proclamations, or standards that are enacted, promulgated, or established under common law, related to recovery for personal injuries caused by, arising out of, or related to an act or omission by a health care provider in the course of arranging or providing coronavirus-related health care services.

(2) STRICTER LAWS NOT PREEMPTED OR SUPERSEDED.—Nothing in this part shall be construed to affect the applicability of any Federal, State, or Tribal law that imposes stricter limits on damages or liabilities for personal injury caused by, arising out of, or related to an act or omission by a health care provider in the course of arranging for or providing coronavirus-related health care services, or otherwise affords greater protection to defendants in any coronavirus-related medical liability action than are provided in this part. Any such provision of Federal, State, or Tribal law shall be applied in addition to the requirements of this part and not in lieu thereof.

(d) ENFORCEMENT ACTIONS.—Nothing in this part shall be construed to impair, limit, or affect the authority of the Federal Government, or of any State, local, or Tribal government to bring any criminal, civil, or administrative enforcement action against any health care provider.

(e) DISCRIMINATION CLAIMS.—Nothing in this part shall be construed to affect the applicability of any provision of Federal, State, or Tribal law that creates a cause of action for intentional discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), disability, genetic information, or age.

(f) PUBLIC READINESS AND EMERGENCY PREPAREDNESS.—Nothing in this part shall be construed to affect the applicability of section 319F-3 of the Public Health Service Act (42 U.S.C. 247d-4) or any similar provision involving a covered countermeasure, as defined in subsection (i) of such section in arranging for or providing coronavirus-related health care services. Nothing in this part shall be construed to affect the applicability of section 319F-4 of the Public Health Service Act (42 U.S.C. 247d-6).

(g) VACCINE INJURY.—To the extent that title XXI of the Public Health Service Act (42 U.S.C. 300aa-1 et seq.) establishes a Federal rule applicable to a civil action brought for a vaccine-related injury, this part does not affect the application of that rule to such an action.

(iii) any coronavirus-related medical liability action may not be commenced in any Federal, State, or Tribal court, or any court of any State or Tribe of sovereign immunity and stating claims within the scope of this part.

(j) PREEMPTION AND SUPERSEDURE.—Nothing in this part shall be construed to affect the applicability of any provision of Federal, State, or Tribal law, including statutes, regulations, rules, orders, proclamations, or standards that are enacted, promulgated, or established under common law, related to recovery for personal injuries caused by, arising out of, or related to an act or omission by a health care provider in the course of arranging or providing coronavirus-related health care services.
SEC. 2142. LIABILITY FOR HEALTH CARE FACILITIES AND HEALTH CARE PROFESSIONALS AND HEALTH CARE FACILITIES DURING CORONAVIRUS PUBLIC HEALTH EMERGENCY.

(a) REQUIREMENTS FOR LIABILITY FOR CORONAVIRUS-RELATED HEALTH CARE SERVICES.—Notwithstanding any other provision of law, and except as provided in subsection (b), no health care provider shall be liable in a coronavirus-related medical liability action unless the plaintiff can prove by clear and convincing evidence—

(1) gross negligence or willful misconduct by the health care provider; and

(2) that the alleged harm, damage, breach, or tort resulting in the personal injury was directly caused by the alleged gross negligence or willful misconduct.

(b) EXCEPTIONS.—For purposes of this section, acts, omissions, or decisions resulting from a resource or staffing shortage shall not be considered willful misconduct or gross negligence.

PART III—SUBSTANTIVE AND PROCEDURAL PROVISIONS FOR CORONAVIRUS-RELATED ACTIONS GENERALLY

SEC. 2161. JURISDICTION.

(a) IN GENERAL.—The district courts of the United States shall have concurrent original jurisdiction of any coronavirus-related action.

(b) JOVIAL.—

(1) IN GENERAL.—A coronavirus-related action of which the district courts of the United States have original jurisdiction under subsection (a) that is brought in a State or Tribal government court may be removed to a district court of the United States in accordance with section 1441 of title 28, United States Code, except that—

(A) notwithstanding subsection (b)(2)(A) of such section, such action may be removed by any defendant without the consent of all defendants;

(B) notwithstanding subsection (b)(1) of such section, for any cause of action that is a coronavirus-related action that was filed in a State court before the date of enactment of this Act and that is pending in such court on such date of enactment, and of which the district courts of the United States have original jurisdiction under subsection (a), any defendant may file a notice of removal of a civil action or proceeding within 30 days of the date of enactment of this Act.

(2) PERIOD AFTER REMOVAL.—Section 1447 of title 28, United States Code, shall apply to any removal of a case under paragraph (1), except that, notwithstanding subsection (d) of such section, a court of appeals of the United States shall accept an appeal from an order of a district court granting or denying a motion to remand the case to the State or Tribal government court from which it was removed if application is made to the court of appeals of the United States not later than 10 days after the entry of the order.

SEC. 2162. LIMITATIONS ON SUITS.

(a) JOINT AND SEVERAL LIABILITY LIMITATIONS.

(1) IN GENERAL.—An individual or entity against whom a final judgment is entered in any coronavirus-related action shall be liable solely for the portion of the judgment that corresponds to the relative and proportionate responsibility of that individual or entity. In determining the percentage of responsibility of any defendant, the trier of fact may use the percentage of the total fault of all individuals or entities, including the plaintiff, who caused or contributed to the total loss incurred by the plaintiff.

(2) PROPORTIONATE LIABILITY.—

(A) DETERMINATION OF RESPONSIBILITY.—In any coronavirus-related action, the court shall instruct the jury to answer special interrogatories, or, if there is no jury, the court shall make findings with respect to each defendant, including any persons and places that have entered into settlements with the plaintiff or plaintiffs, concerning the percentage of responsibility, if any, of each defendant, with respect to the total fault of all individuals or entities who caused or contributed to the loss incurred by the plaintiff.

(B) FACTORS FOR CONSIDERATION.—In determining the percentage of responsibility under this subsection, the trier of fact shall consider—

(i) the nature of the conduct of each individual or entity found to have caused or contributed to the loss incurred by the plaintiff; and

(ii) the nature and extent of the causal relationship between the conduct of each such individual or entity and the damages incurred by the plaintiff.

(C) JOINT LIABILITY FOR SPECIFIC INTENT OR FRAUD.—Notwithstanding paragraph (1), in any coronavirus-related action the liability of a defendant is joint and several if the trier of fact specifically determines that the defendant—

(A) acted with specific intent to injure the plaintiff; or

(B) knowingly committed fraud.

(2) RIGHT TO CONTRIBUTION NOT AFFECTED.—Nothing in this subsection affects the right, under any other law, of a defendant to contribution with respect to another defendant determined under paragraph (3) to have acted with specific intent to injure the plaintiff or to have knowingly committed fraud.

(b) LIMITATIONS ON DAMAGES.

In any coronavirus-related action—

(1) the award of compensatory damages shall be limited to economic losses incurred as the result of the personal injury, harm, damage, breach, or tort, except that the court may award damages for noneconomic losses if the trier of fact determines that the personal injury, harm, breach, or tort was caused by the willful misconduct of the individual or entity;

(2) punitive damages—

(A) may only be awarded by the trier of fact determines that the personal injury to the plaintiff was caused by the willful misconduct of the individual or entity; and

(B) shall not exceed the amount of compensatory damages awarded; and

(3) the amount of monetary damages awarded to a plaintiff shall be reduced by the amount of compensation received by the plaintiff from another source in connection with the personal injury, harm, damage, breach, or tort, such as insurance or reimbursement, to the extent that these persons and places were not the cause of the personal injury alleged; and

(c) PREEMPTION AND SUPERSEDURE.

(1) IN GENERAL.—Except as described in paragraphs (2) and (3), this section preempts and supersedes any Federal, State, or Tribal law, including statutes, regulations, rules, orders, proclamations, or standards that are enacted, promulgated, or established under coronavirus law, related to joint and several liability, proportionate or contributory liability, contribution, or the award of damages for any coronavirus-related action.

(2) STRONGER THAN JOINT AND SEVERAL OR SUPERSEDED.—Nothing in this section shall be construed to affect the applicability of any provision of any Federal, State, or Tribal law that—

(A) limits the liability of a defendant in a coronavirus-related action to a lesser degree of liability than the degree of liability determined under this section; and

(B) otherwise affords a greater degree of protection from joint or several liability than is afforded by this section.

(c) SEPARATE STATE PROCEEDINGS CONCERNING THE NATURE AND AMOUNT OF DAMAGES AND REQUIRED STATE OF MIND.

(1) NATURE AND AMOUNT OF DAMAGES.—In any coronavirus-related action filed in or removed to a district court of the United States in which monetary damages are requested, there shall be filed with the complaint a statement of specific information as to the nature and amount of each element of damages and the factual basis for the damage.

(2) REQUIRED STATE OF MIND.

In any coronavirus-related action filed in or removed to a district court of the United States in which a claim is asserted on which the plaintiff may prevail only on proof that the defendant acted with a particular state of mind, there shall be filed with the complaint, with respect to each element of that claim, a statement of the facts giving rise to a strong inference that the defendant acted with the required state of mind.

(c) VERIFICATION AND PROOF RECORDS.

(1) VERIFICATION REQUIREMENT.—

(A) IN GENERAL.—The complaint in a coronavirus-related action filed in or removed to a district court of the United States shall include a verification, made by affidavit of the plaintiff under oath, stating...
that the pleading is true to the knowledge of the deponent, except as to matters specifically identified as being alleged on information and belief, and that as to those matters the pleading believes it to be true.

(b) Identification of Matters Alleged upon Information and Belief.—Any matter that is not specifically identified as being alleged on information and belief, including a criminal prosecution, as having been made upon the knowledge of the plaintiff, shall be regarded for all purposes, including a criminal prosecution, as having been made upon the knowledge of the plaintiff.

(2) Materials Required.—In any coronavirus-related action filed in or removed to a district court of the United States, the plaintiff shall file with the complaint—

(A) an affidavit by a physician or other qualified medical expert who did not treat the person on whose behalf the complaint is filed that explains the basis for such physician’s or other qualified medical expert’s belief that such person suffered the personal injury, harm, damage, breach, or tort alleged in the complaint; and

(B) certified medical records documenting the alleged personal injury, harm, damage, breach, or tort alleged in the complaint; and

(d) Application With Federal Rules of Civil Procedure.—This section applies exclusively to any coronavirus-related action filed in or removed to a district court of the United States and, except to the extent that this section requires additional information to be contained in or attached to pleadings, nothing in this section is intended to amend or otherwise supersede applicable rules of Federal civil procedure.

(e) Civil Discovery for Actions in District Court of the United States.—

(1) Timing.—Notwithstanding any other provision of law, in any coronavirus-related action filed in or removed to a district court of the United States, no discovery shall be allowed before—

(A) the time has expired for the defendant to answer or file a motion to dismiss; and

(B) if a motion to dismiss is filed, the court has ruled on the motion.

(2) Standard.—Notwithstanding any other provision of law, the court in any coronavirus-related action that is filed in or removed to a district court of the United States—

(A) shall permit discovery only with respect to issues actually disputed and necessary to determine the merits of the specific issues contested in the coronavirus-related action; and

(B) may compel a response to a discovery request by conducting an interrogatory, a request for production of documents, or any other form of discovery request) under rule 37 of the Federal Rules of Civil Procedure, only if the court finds that—

(i) the requesting party needs the information sought to prove or defend as to a material issue in such action; and

(ii) the likely benefits of a response to such request equal or exceed the burden or cost for the responding party of providing such response.

(f) Interlocutory Appeal and Stay of Discovery.—The courts of appeals of the United States shall have jurisdiction of an appeal from a motion to dismiss that is denied in any coronavirus-related action in a district court of the United States. The district court shall stay all discovery in such a coronavirus-related action until the court of appeals has disposed of the appeal.

(g) Class Actions and Multidistrict Litigation Proceedings.

(1) Procedure.—In any coronavirus-related action that is filed in or removed to a district court of the United States and is maintained as a class action or multidistrict litigation—

(A) an individual or entity shall only be a member of the class if the individual or entity affirmatively opts in as a member of a class identified in any coronavirus-related action; and

(B) the court, in addition to any other notice required by applicable Federal or State law, shall direct notice of the action to each member of a class identified in any coronavirus-related action and that is meritorious.

(2) Jurisdiction.—The district courts of the United States shall have concurrent original jurisdiction of all claims arising under subsection (a).

(e) Enforcement by the Attorney General.

(1) General.—Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of transmitting demands for remuneration in exchange for settling, releasing, waiving, or otherwise not pursuing a claim that is, or could be, brought as part of a coronavirus-related action and that is meritorious, the Attorney General may commence a civil action in any appropriate district court of the United States.

(f) Enforcement by the Attorney General. In a civil action under paragraph (1), the court may, to vindicate the public interest, assess a civil penalty against the respondent in an amount not exceeding $50,000 per transmitted demand for remuneration in exchange for settling, releasing, waiving or otherwise not pursuing a claim that is meritorious.

(g) Class Actions and Multidistrict Litigation.

(1) Definition.—In this subsection, the term “covered Federal employment law” means any of the following:

(A) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (including any standard included in a State plan approved under section 18 of such Act (29 U.S.C. 667)).


(D) The Worker Adjustment and RetrainingNotification Act (29 U.S.C. 2101 et seq.).

(E) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(F) Title II of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.).

(G) Title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.).

(2) Limitations.—Nothing in this section is intended to amend or otherwise not pursue a claim that is meritorious.

(h) Nondiscrimination.

(1) In General.—

(a) Cause of Action.—If any person transmits or causes another to transmit in any form a demand or otherwise not pursuing a claim that is, or could be, brought as part of a coronavirus-related action and that is meritorious.

(b) Damages.—Damages available under subsection (a) shall include—

(1) compensatory damages including costs incurred in responding to the demand; and

(2) punitive damages, if the court determines that the defendant had knowledge or was reckless with regard to the fact that the claim was meritorious.

(c) Attorney’s Fees and Costs.—In an action commenced under subsection (a), if the plaintiff is a prevailing party, the court shall, in addition to any judgment awarded to a plaintiff, allow a reasonable attorney’s fee to be paid by the defendant, and costs of the action.

(d) Jurisdiction.—The district courts of the United States shall have concurrent original jurisdiction of all claims arising under subsection (a).

(e) Enforcement by the Attorney General.

(1) General.—Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of transmitting demands for remuneration in exchange for settling, releasing, waiving, or otherwise not pursuing a claim that is, or could be, brought as part of a coronavirus-related action and that is meritorious, the Attorney General may commence a civil action in any appropriate district court of the United States.

(f) Enforcement by the Attorney General. In a civil action under paragraph (1), the court may, to vindicate the public interest, assess a civil penalty against the respondent in an amount not exceeding $50,000 per transmitted demand for remuneration in exchange for settling, releasing, waiving or otherwise not pursuing a claim that is meritorious.

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(A) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) (including any standard included in a State plan approved under section 18 of such Act (29 U.S.C. 667)).


(D) The Worker Adjustment and RetrainingNotification Act (29 U.S.C. 2101 et seq.).

(E) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(F) Title II of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.).

(G) Title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.).

(h) Nondiscrimination.

(1) In General.—

(a) Cause of Action.—If any person transmits or causes another to transmit in any form a demand or otherwise not pursuing a claim that is, or could be, brought as part of a coronavirus-related action and that is meritorious.

(b) Damages.—Damages available under subsection (a) shall include—

(1) compensatory damages including costs incurred in responding to the demand; and

(2) punitive damages, if the court determines that the defendant had knowledge or was reckless with regard to the fact that the claim was meritorious.

(c) Attorney’s Fees and Costs.—In an action commenced under subsection (a), if the plaintiff is a prevailing party, the court shall, in addition to any judgment awarded to a plaintiff, allow a reasonable attorney’s fee to be paid by the defendant, and costs of the action.

(d) Jurisdiction.—The district courts of the United States shall have concurrent original jurisdiction of all claims arising under subsection (a).

(e) Enforcement by the Attorney General.

(1) General.—Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of transmitting demands for remuneration in exchange for settling, releasing, waiving, or otherwise not pursuing a claim that is, or could be, brought as part of a coronavirus-related action and that is meritorious, the Attorney General may commence a civil action in any appropriate district court of the United States.

(f) Enforcement by the Attorney General. In a civil action under paragraph (1), the court may, to vindicate the public interest, assess a civil penalty against the respondent in an amount not exceeding $50,000 per transmitted demand for remuneration in exchange for settling, releasing, waiving or otherwise not pursuing a claim that is meritorious.

(g) Class Actions and Multidistrict Litigation.
means for such cleaning or disinfecting.

any of the following:

employee or for an independent contractor,

joint employment relationship or employ-

ations Act, 1947 (29 U.S.C. 141 et seq.), the Em-

tion law’’ means—

(3) Cleaning or disinfecting services or the

by the covered law.

on the em-

other individuals to provide services, that

other person who hires or contracts with

activity or auxiliary aid or service but such offer

eliminated by reasonably modifying policies,

regarding coronavirus, in order to offer such

accommodation law for any

be liable under, or found in violation of, any

coverage public accommodation law for any

(1) Coronavirus-related policies, proce-

(2) Personal protective equipment or train-

(3) Cleaning or disinfecting services or the

measures applicable to COVID-19.

(2) in subparagraph (D), by adding before the

period and inserting ‘‘; and’’; and

by adding at the end the following:

’’(iii) in the case of a drug—

(i) meets the requirements for marketing

under a final administrative order under sec-

5565 of the Federal Food, Drug, and Cos-

(II) is marketed in accordance with sec-

505(a)(3) of such Act.’’.

(b) CLARIFYING MEANS OF DISTRIBUTION.—

Public Health Service Act (42 U.S.C. 247d-6(a)(5)) is

by inserting ‘‘by, or in partnership with, Federal, State,
or local public health officials or the private sector’’ after ‘‘dis-

in the case of an employee of another

employer or persons hired or

and Medical Leave Act of 1993 (29 U.S.C. 2601

arid inserting a semicolon; and

(5) Temporary assistance due to

(4) Workplace testing for coronavirus.

(3) in paragraph (7), by striking ‘‘and’’;

(4) in paragraph (4), by striking the period

and inserting a semicolon; and

by adding at the end the following:

(5) by adding at the end the following:

the COVID-19 national emergency’’;

(6) in subparagraph (b), by striking the

(1) T临时性助力建设—2020年

emergency declared by the President under the National

Emergencies Act (50 U.S.C. 1601 et seq.) with

respect to the Coronavirus Disease 2019

(COVID-19).’’.

(b) EXCLUSION FROM DEFINITION OF EMPLOY-

ment Loss.—Section 2(b) of the Worker Ad-

justment and Retraining Notification Act (29 U.S.C. 2101(b)) is amended by adding at the end the following:

Notwithstanding subsection (a)(6), dur-

ing the covered period an employee may not

be considered to have experienced an

employment loss if the termination, layoff

ceeding 6 months, or reduction in hours of

ployment loss if the termination, layoff ex-

ing the covered period an employee may not

by this title, or the application

ment made by this title, or the application

of such a provision or amendment to any

person or circumstance is held to be uncon-

stitutional, the remaining provisions of and

ments made by this title, as well as the

application of such provision or amend-

ment to the action holding the provision or amend-

ment to be unconstitutional, or to any cir-

stances other than those presented in such

section, shall not be affected thereby.

TITLe III—ASSISTANCE FOR AMERICAN

FAMILIES

SEC. 3001. SHORT TITLE.

This title may be cited as the ‘‘Continued

Financial Relief to Americans Act of 2020’’.

SEC. 3002. EXTENSION OF THE FEDERAL PAN-

DEMIC UNEMPLOYMENT COMPENSA-

TION PROGRAM

(a) EXTENSION.—Section 2104(e)(2) of divi-

sion A of the CARES Act (15 U.S.C. 9023(e)(2)) is

by striking ‘‘July 31, 2020’’ and inserting ‘‘December 27, 2020’’.

(b) AMOUNT.—

(1) in general.—Section 2104(b) of division

A of the CARES Act (15 U.S.C. 9023(b)) is

The amount specified in paragraph (3)’’; and

by adding at the end the following new paragraph:

(3) AMOUNT OF FEDERAL PANDEMIC UNEM-

PLOYMENT COMPENSATION.—The amount spec-

ified in this paragraph is the following amount:

(A) For weeks of unemployment begin-

ning after the date on which an agreement

entered into under this section and ending on

or before July 31, 2020, $600.

(B) For weeks of unemployment begin-

ning after the last week under subparagraph

(A) and ending on or before December 27, 2020, $300.’’.

(2) TECHNICAL AMENDMENT REGARDING AP-

PLICATION TO SHORT-TIME COMPENSATION PRO-

GRAM.—Section 2104(i)(2) of division A of the CARES Act (15 U.S.C. 9023(i)(2)) is amended—

(A) in paragraph (1)(B), by striking ‘‘$600’’ and

inserting ‘‘equal to the amount specified in paragraph (3)’’; and

(B) in paragraph (2), by striking the pe-

riod and inserting ‘‘; and’’; and

(B) Drug (as such term is defined in sec-

tion 319F–3(i)(1) of the Public Health Service Act (42 U.S.C. 247d–

6d(i)(1)) is amended—

(a) IN GENERAL.—Section 2(a) of the Work-

er Adjustment and Retraining Notification Act (29 U.S.C. 2101(a)) is amended—

(1) in paragraph (2), by adding before the

semicolon at the end the following: ‘‘; and’’; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking ‘‘and’’ at the end;

(B) in subparagraph (B), by adding ‘‘and’’ at the end;

and

(C) by adding at the end the following:

‘‘(C) if occurring during the covered period,

is not a result of the COVID-19 national emergency’’;

(ii) in the case of a drug—

(2) a drug (as such term is defined in sec-

tion 505G of the Federal Food, Drug, and Cos-

metic Act; or

and

such notice; and

requirements of the Federal Food, Drug, and

to such procedures are not otherwise

quired; or to affect whether such notice con-

stitutes final agency action within the

meaning of section 704 of title 5, United States Code.’’.

Subtitle C—General Provisions

SEC. 2201. APPLICABILITY OF THE TARGETED LI-

ABILITY PROTECTIONS FOR PAN-

DEMIC AND EPIDEMIC PRODUCTS AND MEASURES WITH RESPECT TO COVID-19.

(a) IN GENERAL.—Section 319F–3(1)(1) of the Public Health Service Act (42 U.S.C. 247d–

6d(1)(1)) is amended—

(1) in subparagraph (C), by striking ‘‘; or’’ and

inserting a semicolon;

(2) in subparagraph (D), by striking the pe-

riod and inserting ‘‘; and’’; and

(3) by adding at the end the following:

‘‘(D) a drug (as such term is defined in sec-

tion 201(h) of the Federal Food, Drug, and

Cosmetic Act).’’.

Subtitle B—Products

for which such procedures are not otherwise

in section 553 of title 5, United States Code,

and inserting ‘‘December 27, 2020’’.

(2) T临时性助力建设—2020年

emergency declared by the President under the National

1993 (29 U.S.C. 2601 et seq.), it shall not constitute evidence of a

joint employment relationship or employ-

ment relationship for any employer to pro-

vide or require, for an employee of another

employer or for an independent contractor,

any of the following:

(1) Coronavirus-related policies, proce-

dures, or training.

(2) Personal protective equipment or train-

ing for equipment.

(3) Cleaning or disinfecting services or the

means for such cleaning or disinfecting.

i) Public Health Service Act (42 U.S.C. 2601 et seq.), the

Labor Management Rela-

tions Act, 1947 (29 U.S.C. 141 et seq.), the Em-


and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), it shall not constitute evidence of a

joint employment relationship or employ-

ment relationship for any employer to pro-

vide or require, for an employee of another

employer or for an independent contractor,

any of the following:

(1) Coronavirus-related policies, proce-

dures, or training.

(2) Personal protective equipment or train-

ing for equipment.

(3) Cleaning or disinfecting services or the

means for such cleaning or disinfecting.
SEC. 4001. SMALL BUSINESS RECOVERY.

(a) SHORT TITLE.—This section may be cited as the "Continuing the Paycheck Protection Program Act".

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATION; ADMINISTRATOR.—The term "administration" and "Administrator" mean the Small Business Administration and the Administrator thereof, respectively.

(2) SMALL BUSINESS CONCERN.—The term "small business concern" has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(c) EMERGENCY RULEMAKING AUTHORITY.—Not later than 30 days after the date of enactment of this Act, the Administrator shall issue regulations to carry out this section and the amendments made by this section without regard to the notice requirements under section 553(b) of title 5, United States Code.

(d) ADDITIONAL ELIGIBLE EXPENSES.—(1) ALLOWABLE USE OF PPP LOAN.—Section 7(a)(36)(F)(i) of the Small Business Act (15 U.S.C. 636(a)(36)(F)(i)) is amended—

(A) in subsection (a)—

(i) by redesignating paragraphs (6), (7), and (8) as paragraphs (10), (11), and (12), respectively;

(ii) by redesignating paragraph (5) as paragraph (8);

(iii) by redesigning paragraph (4) as paragraph (6);

(iv) by redesigning paragraph (3) as paragraph (4);

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

"(v) the term 'covered operations expenditure' means a payment for any business software and cloud computing service that facilitates business operations, product or service delivery, the processing, payment, or tracking of payroll expenses, human resources, sales and marketing, payment or tracking of supplies, inventory, records and expenses;"

and

(b) in subsection (b), by inserting "any payment on any covered operations expenditure, any payment on any covered supplier cost, any payment on any covered property damage cost, any payment on any covered worker protection expenditure," after "rent obligation,'";

(D) in subsection (e)—

(i) in paragraph (2), by inserting "payments on covered operations expenditures, payments on covered property damage costs, payments on covered supplier costs, payments on covered worker protection expenditures," after "lease obligations,'";

(ii) in paragraph (3)(B), by inserting "make payments on covered operations expenditures, make payments on covered property damage costs, make payments on covered supplier costs, make payments on covered worker protection expenditures," after "rent obligation,'";

(e) LENDER SAFE HARBOR.—Subsection (b) of section 1106 of the CARES Act (15 U.S.C. 9005) is amended to read as follows:

"(b) HOLD HARMLESS.—

(1) IN GENERAL.—A lender may rely on any certification or documentation submitted by an applicant for a covered loan or an eligible recipient of a covered loan that—

(A) is submitted pursuant to any statute, rule, or regulation requiring the applicant or eligible recipient to provide the lender or guaranteeing entity with any information required under subsection (l), as applicable, has accurately verified any certification or documentation provided to the lender;

(2) NO ENFORCEMENT ACTION.—With respect to a lender that relies on a certification or documentation described in paragraph (1)—

(A) an enforcement action may not be taken against the lender for making a good faith determination that an eligible recipient of a covered loan based on such reliance;

(B) the borrower acting in good faith shall not be subject to any penalties relating to origination or forgiveness of a covered loan based on such reliance.'';

(f) SELECTION OF COVERED PERIOD FOR FORGIVENESS.—Section 1106 of the CARES Act (15 U.S.C. 9005) is amended—

(1) by amending paragraph (4) of subsection (a), as so redesignated by subsection (d) of this section, to read as follows:

"(4) the term 'covered period' means the period—

(A) beginning on the date of origination of the covered loan; and

(B) ending on a date selected by the eligible recipient of the covered loan that occurs during the period—

(i) beginning on the date that is 8 weeks after such date of origination; and

(ii) ending on December 31, 2020;''; and

(2) by inserting paragraph (5) after subsection (4); and

(g) SIMPLIFIED APPLICATION.—Section 1106 of the CARES Act (15 U.S.C. 9005) is amended—

(A) in subsection (a)—

(i) by redesigning paragraphs (6), (7), and (8) as paragraphs (10), (11), and (12), respectively;

(ii) by redesigning paragraph (5) as paragraph (8);

(iii) by redesigning paragraph (4) as paragraph (6);

(iv) by redesigning paragraph (3) as paragraph (4);

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

"(v) the term 'covered operations expenditure' means a payment for any business software and cloud computing service that facilitates business operations, product or service delivery, the processing, payment, or tracking of payroll expenses, human resources, sales and marketing, payment or tracking of supplies, inventory, records and expenses;"
after the date of enactment of the Continuing the Paycheck Protection Program Act, that—

(1) reports the amount of the covered loan amount, by the eligible recipient—

(aa) on payroll costs; and

(bb) on the sum of—

(AA) payments of interest on any covered mortgage obligation (which shall not include any prepayment of or payment of principal on a covered mortgage obligation); and

(BB) payments on any covered rent obligation;

(CC) covered utility payments;

-DD) covered operations expenditures;

(EE) covered property damage costs;

(FF) covered supplier costs; and

(GG) covered worker protection expenditures; and

(ii) retains records relevant to the form that prove compliance with those requirements—

(I) with respect to employment records, for the 3-year period following submission of the form; and

(II) with respect to other records, for the 3-year period following submission of the form.

(B) DEMOGRAPHIC INFORMATION.—An eligible recipient of a covered loan described in subparagraph (A) may complete and submit any form related to borrower demographic information.

(C) AUDIT.—The Administrator may—

(I) review and audit covered loans described in subparagraph (A); and

(ii) in the case of fraud, illegibility, or other material noncompliance with applicable loan or loan forgiveness requirements, modify—

(I) the amount of a covered loan described in subparagraph (A); or

(ii) the loan forgiveness amount with respect to a covered loan described in subparagraph (A).

(D) COVERED LOANS BETWEEN $150,000 AND $2,000,000.—

(A) IN GENERAL.—Notwithstanding subsection (e), with respect to a covered loan made to an eligible recipient that is more than $150,000 but not more than $2,000,000—

(I) the eligible recipient seeking loan forgiveness under this section—

(aa) must submit reports to the Administrator under subparagraph (A), and each month thereafter, that—

(aa) all employment records relevant to the application for loan forgiveness for the 4-year period following submission of the application; and

(bb) all other supporting documentation relevant to the application for loan forgiveness for the 3-year period following submission of the application; and

(ii) the eligible recipient seeking loan forgiveness under this section—

(aa) must submit to the Administrator an audit plan submitted under subparagraph (A), and each month thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives an audit plan that details—

(I) the policies and procedures of the Administrator and the SBA for conducting reviews and audits of covered loans; and

(ii) the metrics that the Administrator shall use to determine which covered loans will be audited for each category of covered loans described in paragraphs (1) and (2).

(B) REPORTS.—Not later than 30 days after the date on which the Administrator submits an audit plan submitted under subparagraph (A), and each month thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the review and audit activities of the Administrator under this subsection, which report shall include—

(I) the number of active reviews and audits;

(ii) the number of reviews and audits that have been ongoing for more than 60 days; and

(iii) any substantial changes made to the audit plan submitted under subparagraph (A).


(D) PAYCHECK PROTECTION PROGRAM SECOND DRAW LOANS.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

(E) PAYCHECK PROTECTION PROGRAM TEMPORARY CHANGES; PAYCHECK PROTECTION PROGRAM—ADDITIONAL ELIGIBILITY CRITERIA AND REQUIREMENTS FOR CERTAIN PLACES OF BUSINESS (85 Fed. Reg. 21747 (April 20, 2020)).

(F) PAYCHECK PROTECTION PROGRAM—ELIGIBILITY OF CERTAIN TELEPHONE COOPERATIVES (85 Fed. Reg. 21740 (April 15, 2020)).

(1) COVERED LOANS.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

(2) PAYCHECK PROTECTION PROGRAM SECOND DRAW LOANS.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

(3) PAYCHECK PROTECTION PROGRAM TEMPORARY CHANGES; PAYCHECK PROTECTION PROGRAM—ADDITIONAL ELIGIBILITY CRITERIA AND REQUIREMENTS FOR CERTAIN PLACES OF BUSINESS (85 Fed. Reg. 21747 (April 20, 2020)).

(4) PAYCHECK PROTECTION PROGRAM—ELIGIBILITY OF CERTAIN TELEPHONE COOPERATIVES (85 Fed. Reg. 21740 (April 15, 2020)).
(EE) is a type of business concern described in section 120.110(o) of title 13, Code of Federal Regulations, or any successor regulation, except as otherwise provided in the interim final rule of the Administrator entitled "Business Loan Program Temporary Changes; Paycheck Protection Program—Additional Eligibility Revisions to First Interim Final Rule" (85 Fed. Reg. 38301 (June 26, 2020)) or any other guidance or rule issued or that may be issued by the Administrator; or

(FF) is a type of business concern described in section 120.110(o) of title 13, Code of Federal Regulations, or any successor regulation, except as otherwise provided in any guidance or rule issued or that may be issued by the Administrator; or

(GG) is an entity that would be described in the subsections listed in subitems (AA) through (FF) if the entity were a business concern; or

(HH) is assigned, or was approved for a loan under paragraph (36) with, a North American Industry Classification System code beginning with 32;

(cc) any business concern or entity primarily engaged in political or lobbying activities, which shall include any entity that is organized for research or for engaging in advocacy in areas such as public policy or political strategy or otherwise describes itself as a think tank in any public document; or

(d) any business concern or entity—

(1) for which an entity created in or organized under the laws of the People's Republic of China or the Special Administrative Region of Hong Kong, or that has significant operations in the People's Republic of China or the Special Administrative Region of Hong Kong, owns or holds, directly or indirectly, not less than 20 percent of the economic interest of the business concern or entity, including as equity shares or a capital or profit interest in a limited liability company or partnership; or

(2) that retains, as a member of the board of directors of the business concern, a person who is a resident of the People's Republic of China;

(vi) the terms 'exchange', 'issuer', and 'security' have the meanings given those terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)); and

(vii) the term 'tribal business concern' means a Tribal business concern described in section 51(b)(2)(C).

(B) Except as otherwise provided in this paragraph, the Administrator may guarantee covered loans to eligible entities under the same terms, conditions, and processes as a loan made under paragraph (36).

(C) Maximum Loan Amount.—

(i) In General.—Except as otherwise provided in this subparagraph, the maximum amount of a covered loan made to an eligible entity is the lesser of—

(aa) the product obtained by multiplying—

(1) the maximum aggregate loan amount guaranteed under this section that is approved for an eligible entity (including any affiliates) within 90 days of approval of another loan under this subsection for the eligible entity (including any affiliates) shall not exceed $2,000,000.

(bb) 2.5; or

(bb) the quotient obtained by dividing—

(1) the total amount of payments made by the eligible entity for payroll costs paid or incurred by the eligible entity as of the date on which the eligible entity applies for the covered loan; by

(2) the number of months in which those payroll costs were paid or incurred; or

(3) $2,000,000.

(iv) LIMIT FOR MULTIPLE LOCATIONS.—With respect to an eligible entity with more than 1 physical location, the total amount of covered loans shall not be more than $2,000,000.

(v) Loan Number Limitation.—An eligible entity may only receive 1 covered loan.

(vi) 90 Day Rule for Maximum Loan Amount.—The maximum aggregate loan amount covered by this subsection that is approved for an eligible entity (including any affiliates) within 90 days of approval of another loan under this subsection for the eligible entity (including any affiliates) shall not exceed $10,000,000.

(vii) Exception from Certain Certification Requirements.—An eligible entity applying for a covered loan shall not be required to make the certification described in subsection (III) or (IV) of paragraph (36)(G)(i).

(E) Fee Waiver.—With respect to a covered loan—

(i) in lieu of the fee otherwise applicable under paragraph (23)(A), the Administrator shall collect no fee; and

(ii) in lieu of the fee otherwise applicable under paragraph (18)(A), the Administrator shall collect no fee.

(F) Eligible Churches and Religious Organizations.—

(i) Sense of Congress.—It is the sense of Congress that the interim final rule of the Administrator entitled 'Business Loan Program Temporary Changes; Paycheck Protection Program' (85 Fed. Reg. 8287 (April 15, 2020)) properly clarified the eligibility of churches and religious organizations for loans made under paragraph (36).

(ii) Applicability of Prohibition.—The prohibition on eligibility established by section 153(c)(2)(A) of title 13, Code of Federal Regulations, or any successor regulation, shall not apply to a covered loan.

(iii) Gross Receipts for Nonprofit and Religious Organizations.—The sum of the gross receipts of calculating gross receipts under subparagraph (A)(v)(I)(cc) for an eligible entity that is a nonprofit organization, a veterans organization, or an organization described in subparagraph (A)(v)(II), gross receipts—

(1) shall include proceeds from fundraising events, federated campaigns, gifts, donor-advised funds, and funds from similar sources; and

(ii) shall not include—

(1) Federal grants (excluding any loan forgiveness or other grants provided under paragraph (36) or this paragraph);

(2) revenues from a supporting organization;

(3) grants from private foundations that are disbursed over the course of more than 1 calendar year; or

(4) any contribution of property other than money, stocks, bonds, and other securities, provided that the non-cash contribution is not sold by the organization in a transaction unrelated to the tax-exempt purpose of the organization.

(H) Loan Forgiveness.—

(i) In General.—Except as otherwise provided in this subparagraph, the Administrator shall be eligible for forgiveness of indebtedness on a covered loan in an amount equal to the sum of the following costs incurred or expenditures made during the covered period:

(1) Payroll costs.

(2) Any payment of interest on any covered mortgage obligation (which shall not include any prepayment of or payment of principal on a covered mortgage obligation).

(3) Any covered operations expenditure.

(4) Any covered property damage cost.

(5) Any payment on any covered rent obligation.

(6) Any covered utility payment.

(7) Any covered supplier cost.

(8) Any covered worker protection expenditure.

(ii) Limitation on Forgiveness for All Eligible Entities.—The forgiveness amount under this subparagraph shall be equal to the lesser of—

(1) the amount described in clause (ii); and

(2) the amount equal to the quotient obtained by dividing—

(A) the sum of the principal amount of the covered loan used for payroll costs during the covered period; by

(B) 0.60.

(iii) Lender Eligibility.—Except as otherwise provided in this paragraph, a lender approved to make loans under paragraph (36) may make covered loans under the same terms and conditions as in paragraph (36).

(iv) Reimbursement for Loan Processing and Servicing.—The Administrator shall reimburse a lender authorized to make a covered loan in an amount equal to—

(1) 3 percent of the principal amount of the financing of the covered loan up to $350,000, if applicable;

(2) 1 percent of the principal amount of the financing of the covered loan above $350,000, if applicable.

(v) Fees for Small Entities.—Not less than $25,000,000,000 of the total amount of covered loans guaranteed by the Administrator shall be made to eligible entities with more than 10 employees as of February 15, 2020.

(L) Set Aside for Community Financial Institutions, Small Insured Depository Institutions, Credit Unions, and Farm Credit System Institutions.—Not less than $10,000,000,000 of the total amount of covered loans guaranteed by the Administrator shall be made by—

(1) community financial institutions;

(2) insured depository institutions with consolidated assets of less than $10,000,000,000;

(3) credit unions with consolidated assets of less than $10,000,000,000; and

(4) institutions of the Farm Credit System guaranteed under the Farm Credit Act of 1971 (12 U.S.C. 201 et seq.) with consolidated assets of less than $10,000,000,000 (not including the Federal Agricultural Mortgage Corporation).

(M) Publication of Guidance.—Not later than 10 days after the date of enactment of
this paragraph, the Administrator shall issue guidance addressing barriers to accessing capital for minority, underserved, veteran, and women-owned business concerns for the purpose of ensuring equitable access to covered loans.

‘‘(N) STANDARD OPERATING PROCEDURE.—The Administrator shall, to the maximum extent practicable, allow a lender approved to make covered loans to use existing program guidance and standard operating procedures for loans made under this subsection.

‘‘(O) EXHIBITION ON USE OF PROCEDURES FOR LOBBYING ACTIVITIES.—None of the proceeds of a covered loan may be used for—

‘‘(i) payments in respect of a covered loan, as defined in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1131);

‘‘(ii) lobbying expenditures related to a State or local election; or

‘‘(iii) expenditures designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before Congress or any State government, State legislature, or local legislature or legislative body.

(2) CONTINUED ACCESS TO THE PAYCHECK PROTECTION PROGRAM.—

(I) IN GENERAL.—Section 7(a)(36)(E)(ii) of the Small Business Act (15 U.S.C. 636(a)(36)(E)(ii)) is amended by striking ‘‘$10,000,000’’ and inserting ‘‘$2,000,000’’.

(2) APPLICABILITY OF MAXIMUM LOAN AMOUNT TO RESERVATIONS.—

(A) DEFINITIONS.—In this paragraph, the terms ‘‘covered loan’’ and ‘‘eligible recipient’’ have the meanings given those terms in section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)).

(B) APPLICABILITY.—The amendment made by paragraph (1) shall apply only with respect to a covered loan applied for by an eligible recipient on or after the date of enactment of this Act.

(K) INCREASED ABILITY FOR PAYCHECK PROTECTION PROGRAM BORROWERS TO REQUEST AN INCREASE IN LOAN AMOUNT DUE TO UPDATED REGULATIONS.—

(1) definitions.—In this subsection, the terms ‘‘covered loan’’ and ‘‘eligible recipient’’ have the meanings given those terms in section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)).

(2) INCREASED LOAN AMOUNT.—Notwithstanding the interim final rule issued by the Administration entitled ‘‘Business Loan Program Temporary Changes; Paycheck Protection Program Borrowers to Request an Increase in Loan Amount Due to Updated Regulations’’ (85 Fed. Reg. 29842 (May 19, 2020)), an eligible recipient of a covered loan that is eligible for an increase in covered loan amount as a result of any interim final rule that allows for covered loan increases may submit a request for an increase in the covered loan amount even if—

(A) the initial covered loan amount has been fully disbursed; or

(B) the lender of the initial covered loan has submitted to the Administration a Form 1502 report related to the covered loan.

(I) calculate maximum loan amount for farmers and ranchers under the paycheck protection program.—

(1) IN GENERAL.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), as amended by subsection (j) of this section, is amended—

(A) in subparagraph (E), in the matter preceding clause (i), by striking ‘‘During’’ and inserting ‘‘Except as provided in subparagraph (D)’’;

(B) by adding at the end the following:

‘‘(T) calculation of maximum loan amount for farmers and ranchers.—

‘‘(1) In this subparagraph, the term ‘covered recipient’ means an eligible recipient that—

‘‘(I) operates as a sole proprietorship or as an independent contractor, or is an eligible self-employed individual;

‘‘(II) reports farm income or expenses on a Schedule F (or any equivalent successor schedule); and

‘‘(III) was in business during the period beginning on February 15, 2019 and ending on June 30, 2020; or

‘‘(ii) NO EMPLOYEES.—With respect to a covered recipient without employees, the maximum covered loan amount shall be the lesser of—

‘‘(I) the sum of—

(a) the product obtained by multiplying—

(aa) the gross income of the covered recipient in 2019, as reported on a Schedule F (or any equivalent successor schedule), that is not more than $100,000, divided by 12; and

(bb) $2,500; and

(b) the outstanding amount of a loan under subsection (b) that was made during the period beginning on January 31, 2020 and ending on April 3, 2020 that the borrower intends to refinance under the covered loan, not including any amount of any advance under the loan that is not required to be repaid; or

‘‘(II) $2,000,000.

‘‘(iii) WITH EMPLOYEES.—With respect to a covered recipient with employees, the maximum covered loan amount shall be calculated using the formula described in subparagraph (E), except that the gross income of the covered recipient described in clause (I)(aa) of this subparagraph, as divided by 12, shall be added to the sum calculated under subparagraph (E)(ii).

‘‘(iv) recalculaition.—A lender that made a covered loan to an eligible recipient before the date of enactment of this paragraph may, at the request of the covered recipient—

(I) recalculate the maximum loan amount applicable to that covered loan based on the formula described in clause (i) or (iii), as applicable, if doing so would result in a larger covered loan amount; and

‘‘(ii) provide the covered recipient with additional covered loan amounts based on that recalculation.

(m) Farm Credit System Institutions.—

(1) DEFINITION OF FARM CREDIT SYSTEM INSTITUTION.—In this subsection, the term ‘‘Farm Credit System institution’’ means an institution of the Farm Credit System chartered under the Farm Credit Act of 1971 (12 U.S.C. 1971 et seq.) with consolidated assets of less than $50,000,000,000.

(2) FACILITATION OF PARTICIPATION IN PPP AND SECOND DRAW LOANS.—

(A) APPLICABLE RULES.—So long as with respect to any loans described in paragraphs (37) and (38) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), Farm Credit Administration regulations and guidance issued as of July 14, 2020, as well as any similar requirement referenced in that interim final rule in implementing such paragraph (37),

(B) APPLICABILITY OF CERTAIN LOAN REQUIREMENTS.—For purposes of making loans under paragraph (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) or forgiving those loans in accordance with section 1106 of the CARES Act (15 U.S.C. 9005) and subsection (b) of section 1106 of the CARES Act (15 U.S.C. 9006) and any similar requirement referenced in that interim final rule implementing such paragraph (37),

(i) in clauses (I), (II), and (III) of section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), as amended by section 1106 of the CARES Act (15 U.S.C. 9005), and subparagraph (H) of such paragraph (37); or

(ii) a loan made by a Farm Credit Bank described in section 1.2(a) of the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) or forgiven those loans in accordance with section 1106 of the CARES Act (15 U.S.C. 9005) and subparagraph (H) of such paragraph (37); or

(iii) a loan made by a Farm Credit Bank or described in section 1106 of the CARES Act (15 U.S.C. 9005) and subparagraph (H) of such paragraph (37); or

(iv) a loan made by a Farm Credit System institution, as described in section 1106 of the CARES Act (15 U.S.C. 9005) and subparagraph (H) of such paragraph (37).

(1) PPP LOANS.—Section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)(36)(A)) is amended—

(A) in clause (x), by striking ‘‘and’’ at the end;

(B) in clause (xii), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

‘‘(xxiii) the term ‘seasonal employer’ means an eligible recipient that—

‘‘(i) does not operate for more than 7 months in any calendar year; or

‘‘(ii) during the preceding calendar year, had gross receipts for any 6 months of that year that were not more than 50 percent of the gross receipts of the employer for the other 6 months of that year.’’.}

(2) LOAN FORGIVENESS.—Paragraph (12) of section 1106(a) of the CARES Act (15 U.S.C. 9005) and any similar requirement referenced in that interim final rule implementing such paragraph (d)(2) of this section, is amended to read as follows:

‘‘(12) PAYMENTS.—For purposes of making loans under paragraph (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), and any similar requirement referenced in that interim final rule implementing such paragraph (37),


(C) RISK WEIGHT.—

(i) IN GENERAL.—With respect to the applicable capital requirements, a loan described in clause

(ii) shall receive a risk weight of zero percent;

(iii) shall not be included in the calculation of any applicable leverage ratio or other applicable capital ratio or calculation.

(1) in clause (v), by inserting (v) or whether an organization described in clause (vii), the membership of which is limited to more than 150 employees, after “clause (v);”

(2) in clause (vi), by inserting a clause (vi), an organization described in clause (vii), after “non-profit organizations”; and

(3) by adding at the end the following:

“(vii) ELIGIBILITY FOR CERTAIN 501(C)(6) ORGANIZATIONS.—

(I) in paragraph (8)(B), by striking “and” and inserting “or”; and

(ii) A PPLICABILITY.—Notwithstanding the amendments made by clause (i) of this subparagraph, if the amendments made by paragraphs (1), (2), (3), (4), and (5) take effect under subparagraph (A) of this paragraph, such amendments shall apply to any case under title 11, United States Code, commenced before the date that is 2 years after the date of enactment of this Act.

(6) EFFECTIVE DATE; SUNSET.—

(i) I N GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall take effect on the date of enactment of this Act, and every quarter thereafter until the date that is 2 years after the date of enactment of this Act.

(ii) T REATMENT OF SECURITIES.—For the purposes of this section, a security acquired by a person directly or indirectly holds a controlling interest in an entity means an entity in which a covered individual directly or indirectly holds a controlling interest in an entity, means an entity in which a covered individual directly or indirectly holds a controlling interest in an entity, or holds a controlling interest in an entity, or is an affiliate of such an entity.
a covered entity, the securities owned, controlled, or held by 2 or more individuals who are related as described in subparagraph (C)(ii) shall be aggregated.

(C) COVERED INDIVIDUAL.—The term “covered individual” means—

(i) the President, the Vice President, the head of an Executive department, or a Member of Congress;

(ii) the spouse, child, son-in-law, or daughter-in-law, as determined under applicable common law, of an individual described in clause (i); and

(D) EXECUTIVE DEPARTMENT.—The term “Executive department” has the meaning given to that term in section 101 of title 5, United States Code.

(E) MEMBER OF CONGRESS.—The term “Member of Congress” means a Member of the Senate or the House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico.

(F) EQUITY INTEREST.—The term “equity interest” means—

(i) a share in an entity, without regard to whether the share is—

(I) transferable;

(II) classified as stock or anything similar;

(ii) a capital or profit interest in a limited liability company or partnership; or

(iii) other than a right to convert, to purchase, sell, or subscribe to a share or interest described in clause (i) or (ii), respectively.

(2) REQUIREMENT.—The principal executive officer and the principal financial officer, or individuals performing similar functions, of an entity seeking to enter a transaction made under paragraph (3) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added and amended by this section, before that transaction is approved, disclose to the Administrator whether the entity is a covered entity.

(3) APPLICABILITY.—The requirement under paragraph (2)—

(A) shall apply with respect to any transaction made under paragraph (3) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added and amended by this section, on or after the date of enactment of this Act; and

(B) shall not apply with respect to—

(i) a transaction described in subparagraph (A) that was made before the date of enactment of this Act; or

(ii) forgiveness under section 1106 of the CARES Act (15 U.S.C. 9005), as added and amended by this Act.

(4) COMMITTEE AUTHORITY AND APPOINTMENTS.—

(1) COMMITTEE AUTHORITY.—Section 1102(b) of the CARES Act (Public Law 116–136) is amended—

(A) in the section heading, by striking “AND SECOND DRAW” after “PPP”; and

(B) by striking “August 8, 2020” and inserting “December 31, 2020”.

(2) COMMITTEE.—Section 1106(b) of the CARES Act (Public Law 116–136) is amended—

(A) in the section heading, by striking “Secretary” and inserting “CARES Act”; and

(B) by striking “Secretary of a State to receive a subgrant from the State under subsection (d)”.

(3) DETERMINATIONS.—

(1) POSTAL REGULATORY COMMISSION.—The Postal Service shall certify in its quarterly and audited annual reports to the Postal Regulatory Commission under section 3654 of title 39, United States Code, and in conformity with the requirements of section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78d(d)), any expenditures made under subsection (b) of this section.

(2) CONGRESS.—Not later than 15 days after filing a report described in paragraph (1) with the Federal Coordinated Action, the Postal Service shall submit a copy of the information required to be certified under that paragraph to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(3) TITLE VI—EDUCATIONAL SUPPORT AND CHILD CARE

Subtitle A—Emergency Education Freedom Grants; Tax Credits for Contributions to Eligible Scholarship-granting Organizations SEC. 6001. EMERGENCY EDUCATION FREEDOM GRANTS.

(a) DEFINITIONS.—In this section:

(I) ELIGIBLE SCHOLARSHIP-GRANTING ORGANIZATION.—The term “eligible scholarship-granting organization” means—

(A) an organization that—

(i) is described in section 501(c)(3) of the Internal Revenue Code of 1986; and

(ii) provides scholarships to individual elementary and secondary students with sufficient financial need;

(B) an organization identified by a Governor of a State to receive a subgrant from the State under subsection (d); and

(C) an organization identified by the Secretary of Education for an individual student's elementary or secondary education, as determined under paragraph (2).

(2) EMERGENCY EDUCATION FREEDOM GRANT FUNDS.—The term “emergency education freedom grant funds” means the amount of funds available under subsection (b) for the fiscal year not otherwise appropriated, for the fiscal year ending September 30, 2021, for the purpose of emergency education freedom grants to States with approved applications, in
order to enable the States to award subgrants to eligible scholarship-granting organizations under subsection (d).
(2) TIMING.—The Secretary shall make the allotment under this subsection not later than 30 days after the date of enactment of this Act.
(c) RESERVATIONS AND ALLOTMENTS.—
(1) IN GENERAL.—From the amounts made available under section (b)(1), the Secretary shall—
(A) reserve—
(i) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this section; and
(ii) one-half of 1 percent of such amounts for the Secretary of the Treasury, acting through the Bureau of Indian Education, to be used to provide subgrants described in subsection (d) to eligible scholarship-granting organizations that serve students attending elementary schools or secondary schools operated or funded by the Bureau of Indian Education; and
(B) subject to paragraph (2), allot each State that submits an approved application under this section the sum of—
(i) the amount that bears the same relation to 20 percent of the emergency education freedom grant funds as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals, as so determined, in all such States that submitted approved applications; and
(ii) an amount that bears the same relations to 20 percent of the emergency education freedom grant funds as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals, as so determined, in all such States that submitted approved applications; and
(2) INITIAL TIMING.—No State shall receive an allotment under this subsection for a fiscal year that is less than one-half of 1 percent of the total number of emergency education freedom grant funds available for such fiscal year.
(d) ELIGIBILITY TO ELIGIBLE SCHOLARSHIP GRANTING ORGANIZATIONS.—
(1) IN GENERAL.—A State that receives an allotment under this section shall use the allotment to award subgrants to eligible scholarship-granting organizations in the State.
(2) INITIAL TIMING.—
(A) STATES WITH EXISTING TAX CREDIT SCHOLARSHIP PROGRAM.—By not later than 30 days after receiving an allotment under subsection (d), a State that has an existing tax credit scholarship program may use not less than 50 percent of the allotment to award subgrants to eligible scholarship-granting organizations under subsection (d)(1)(B), a State without a tax credit scholarship program shall use not less than 50 percent of the allotment to award subgrants to eligible scholarship-granting organizations in the State.
(B) STATES WITHOUT TAX CREDIT SCHOLARSHIP PROGRAMS.—By not later than 60 days after receiving an allotment under subsection (d)(1)(B), a State without a tax credit scholarship program shall use not less than 50 percent of the allotment to award subgrants to eligible scholarship-granting organizations in the State.
(3) USES OF FUNDS.—An eligible scholarship-granting organization that receives a subgrant under this subsection—
(A) may reserve not more than 5 percent of the subgrant funds for public outreach, student and family assistance, and administrative expenses related to the subgrant; and
(B) shall use not less than 95 percent of the subgrant funds for scholarships for qualified expenses only to individual elementary school and secondary school students who reside in the State in which the eligible scholarship-granting organization is recognized.
(e) REALLOCATION.—A State shall return to the Secretary any amounts of the allotment received under this section that the State does not award as subgrants under subsection (d) by March 30, 2021, and the Secretary shall reallocate such funds to the remaining eligible States in accordance with subsection (c)(1)(B).
(f) RULES OF CONSTRUCTION.—
(1) IN GENERAL.—A qualifying scholarship awarded to a student from funds provided under this section shall not be considered assistance to the school or other educational provider that enrolls, or provides educational services to, the student or the student's parent.
(2) EXCLUSION FROM INCOME.—
(A) INCOME TAXES.—For purposes of the Internal Revenue Code of 1986, gross income does not include any amount received by an individual as a qualifying scholarship.
(B) FEDERAALLY FUNDED PROGRAMS.—Any amount received as a qualifying scholarship shall not be taken into account as income or resources for purposes of determining the eligibility of such individual for any program or entitlement under any Federal program or for any State or local program financed in whole or in part with Federal funds.
(3) PROHIBITION OF CONTROL OVER NONPUBLIC EDUCATION PROVIDERS.—
(A)(i) Nothing in this section shall be construed to permit, allow, encourage, or authorize any State to mandate, direct, or control any aspect of a private or home education provider, regardless of whether or not a home education provider is treated as a private school or home school under State law.
(ii) This section shall not be construed to exclude from participation in programs or services under this section educational providers from participation in programs or services under this section.
(B) Nothing in this section shall be construed to permit, allow, encourage, or authorize a State to mandate, direct, or control any aspect of a private or home education provider, regardless of whether or not a home education provider is treated as a private school or home school under State law.
(C) No participating State shall exclude, discriminate against, or otherwise disadvantage any education provider with respect to programs or services under this section based in whole or in part on the provider’s religious character or affiliation, including religiously based or mission-based policies or practices.
(4) PARENTAL RIGHTS TO USE SCHOLARSHIPS.—No participating State shall disfavor any participating provider of school services under this section.
(5) STATE AND LOCAL AUTHORITY.—Nothing in this section shall be construed to modify a State or local government’s authority and responsibility to fund education.
(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.
SEC. 2602. TAX CREDITS FOR CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP GRANTING ORGANIZATIONS.
(a) CREDIT FOR INDIVIDUALS.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding after section 52ZD the following new section:
"SEC. 25E. CONTRIBUTIONS TO ELIGIBLE SCHOLARSHIP GRANTING ORGANIZATIONS.
"(a) ALLOWANCE OF CREDIT.—Subject to section 6033(c) of the Delivering Immediate Relief to America’s Families, Schools and Small Businesses Act, in the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of any qualified contributions made by the taxpayer during the taxable year.
(b) AMOUNT OF CREDIT.—The credit allowed under subsection (a) for any taxable year shall not exceed 10 percent of the taxpayer’s adjusted gross income for the taxable year.
(c) DEFINITIONS.—For purposes of this section:
"(1) ELIGIBLE SCHOLARSHIP GRANTING ORGANIZATION.—The term ‘eligible scholarship-granting organization’ means—
"(A) an organization that—
"(i) is described in section 501(c)(3) and exempt from taxation under section 501(a), and
"(ii) provides qualifying scholarships to individual elementary and secondary students who—
"(I) reside in the State in which the eligible scholarship-granting organization is recognized, or
"(II) in the case of the Bureau of Indian Education, are members of a federally recognized tribe,
"(iii) a State identifies to the Secretary as an eligible scholarship-granting organization under section 6033(c)(6)(B) of the Delivering Immediate Relief to America’s Families, Schools and Small Businesses Act,
"(iv) allocates at least 90 percent of qualified contributions to qualifying scholarships on an annual basis, and
"(v) provides qualifying scholarships to—
"(I) more than 1 eligible student,
"(II) more than 1 education provider, and
"(III) different eligible students attending more than 1 education provider, or
"(B) an organization that—
"(i) is described in section 501(c)(3) and exempt from taxation under section 501(a), and
"(ii) pursuant to State law, was able, as of January 1, 2021, to receive contributions that are eligible for a State tax credit by virtue of the contributions being used by the organization to provide scholarships to individual elementary and secondary students, including scholarships for attendance in private schools.
"(2) QUALIFIED CONTRIBUTION.—The term 'qualified contribution' means a contribution of cash to any eligible scholarship-granting organization.
"(3) QUALIFIED EXPENSE.—The term ‘qualified expense’ means any educational expense that is—
"(A) for an individual student’s elementary or secondary education, as recognized by the State, or
"(B) for the secondary education component of an individual’s secondary education services, including those services provided by private or nonprofit entities under part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986.
"(4) QUALIFYING SCHOLARSHIP.—The term ‘qualifying scholarship’ means a scholarship
granted by an eligible scholarship-granting organization to an individual elementary or secondary student for a qualified expense.

(5) STATE.—The term ‘State’ means each of the District of Columbia, the Commonwealth of Puerto Rico, the outlying areas (as defined in section 1121(c)(2) of the Elementary and Secondary Education Act of 1965), and the Department of the Interior (acting through the Bureau of Indian Education).

(6) IN GENERAL.—A qualifying scholarship awarded to a student from the proceeds of a qualified contribution under this section shall not be treated as tuition, fees, or other amounts paid in respect of attendance at the school or other educational provider that enrolls, or provides educational services to, the student or the student’s parents.

(7) DETERMINATION OF TAX.—

(a) IN GENERAL.—Gross income shall not include any amount received by an individual as a qualifying scholarship and such amount shall not be taken into account as income or resources for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of such benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(b) PROHIBITION OF CONTROL OVER NON-PUBLIC EDUCATION PROVIDERS.—

(1) In general.—Nothing in this section shall be construed to authorize any Federal control over any aspect of any private, religious, or home education provider, whether or not a home education provider is treated as a private school or home school under State law.

(2) Effect.—This section shall not be construed to exclude private, religious, or home education providers from participation in programs or services under this section.

(8) Nothing in this section shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private or home education provider, regardless of whether or not a home education provider is treated as a private school under State law.

(9) No participating State or entity acting on behalf of a State pursuant to section 6003(c)(5) of the Delivering Immediate Relief to America’s Families, Schools and Small Businesses Act, for purposes of section 38, in the case of a domestic corporation, shall be treated as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of any qualified contributions (as defined in section 25E(c)(2)) made by such corporation during the taxable year.

(10) AMOUNT OF CREDIT.—The credit allowed under subsection (a) for any taxable year shall not exceed 5 percent of the taxable income (as defined in section 170(b)(2)(D)) of the domestic corporation for such taxable year.

(11) ADDITIONAL PROVISIONS.—For purposes of this section, any qualified contributions made by a domestic corporation shall be subject to the limitations provided under sections 25E and 45U of the Internal Revenue Code of 1986.

(12) TERMINATION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(13) EFFECTIVE DATE.—This section shall take effect as if included in the Internal Revenue Code for taxable years beginning after December 31, 2023.

(14) CREDITS.—

(a) ALLOWANCE OF CREDIT.—Subject to section 25E, the credit granted by this section. Provided that the Secretary of the Treasury shall, in coordination with the Secretary of Education, shall—

(A) allocate the amount that bears the same relationship to 20 percent of such remaining amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary of Education on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(B) allocate the amount that bears the same relationship to 80 percent of such remaining amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary of Education on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(c) $5,000,000,000.

(d) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(e) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(b) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(c) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(d) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(e) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(f) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(g) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(h) ALTERNATIVE MINIMUM TAX.—For purposes of section 55 of the Code, any credit received for a qualified contribution under this section shall be treated as a preference item.

(i) RETURNS.—Nothing in this section shall affect the due date of the return of any person for any taxable year.

(j) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(k) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(l) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(m) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(n) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(o) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(p) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(q) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(r) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(s) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(t) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(u) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(v) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(w) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(x) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(y) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(z) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(1) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(m) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(n) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(o) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(p) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(q) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(r) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.

(s) ELECTION.—This section shall apply to a taxpayer for a taxable year only if the taxpayer elects to have this section apply for such taxable year.

(t) ELECTION.—This section shall not apply to any contributions made in taxable years beginning after December 31, 2023.
SEC. 6001. BACK TO WORK CHILD CARE GRANTS.

(a) PURPOSE.—The purpose of this section is to support the recovery of the United States economy and to provide assistance to States to aid in reopening child care programs and maintaining the availability of child care in the United States, so that parents can access safe care and return to work.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made after the date of the enactment of this Act.

Subtitle B—Back to Work Child Care Grants

SEC. 6004. ACCOUNT FUNDING FOR HOMESCHOOL AND ADDITIONAL ELEMENTARY AND SECONDARY EXPENSES.

(a) IN GENERAL.—Section 529(c)(7) of the Internal Revenue Code of 1986 shall have the same meaning as when used in such section.

(b) ADDITIONAL EXPENSES.—In the case of any distribution made after the date of the enactment of the Delivering Immediate Relief to America’s Families, Schools and Small Businesses Act and before January 1, 2023, any reference in this section to the term ‘qualified higher education expense’ shall include a reference to the following expenses in connection with enrollment or attendance at or attending, an elementary or secondary public, private, or religious school:

(i) Curriculum and curricular materials.

(ii) Books or other instructional materials.

(iii) Online educational materials.

(iv) Tuition for tutoring or educational classes, including classes outside of the home, including at a tutoring facility, but only if the tutor or instructor is not related to the student and—

(1) is licensed as a teacher in any State, or

(2) has taught at an eligible educational institution, or

(III) is a subject matter expert in the relevant subject.

(v) Fees for a nationally standardized norm-referenced achievement test, an advanced placement examination, or any examinations related to college or university admission.

(vi) Fees for dual enrollment in an institution of higher education.

(vii) Expenses for students with disabilities provided by a licensed or accredited practitioner or provider, including occupational, behavioral, physical, and speech-language services.

(c) TREATMENT OF HOMESCHOOL EXPENSES.—In the case of any distribution made after the date of the enactment of the Delivering Immediate Relief to America’s Families, Schools and Small Businesses Act and before January 1, 2023, the term ‘qualified higher education expense’ shall include expenses for the purposes described in subsections (A) and (B) in connection with a homeschool (whether treated as a public or private school for purposes of applicable State law). The term ‘COVID–19 public health emergency’ means the term ‘COVID–19 public health emergency’ as defined in section 630C of the Coronavirus Aid, Relief, and Economic Security Act.

(d) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ‘COVID–19 public health emergency’ means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19, including any renewal of such declaration.

(2) ELIGIBLE CHILD CARE PROVIDER.—The term ‘eligible child care provider’ means an eligible entity that meet the requirements of subsection (f) or to which title II or title V of the Family Education Assistance Act of 1974 (20 U.S.C. 1070 et seq.) or any other Federal law shall be subject.

(e) RESERVATION.—The Secretary shall reserve not more than 1 percent of the amount appropriated to carry out this section to pay for the costs of the Federal administration of this section. The amount appropriated to carry out this section shall remain available through fiscal year 2021.

(f) ALLOTMENTS AND PAYMENTS.—The Secretary shall allocate the remaining amount of such funds to the States, Tribal organizations, to the Secretary a notice of intent to provide assurances for such grant. The notice of intent shall include a certification that the State, Indian tribe, or tribal organization will repay the funds if such State, Indian tribe, or tribal organization fails to provide assurances that meet the requirements of subsection (f) or to which title II or title V of the Family Education Assistance Act of 1974 (20 U.S.C. 1070 et seq.) or any other Federal law shall be subject.

(g) PROCESS FOR ALLOCATION OF FUNDS.—The term ‘process for allocation of funds’ means the process for allocation of funds under this section, the Secretary shall provide to States, Tribal organizations, any notice of funding availability, for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (c).

(h) FEDERAL RESERVATION; ALLOTMENTS AND PAYMENTS.—The term ‘federal reservation; allotments and payments’ means the process for allocation of funds under this section, the Secretary shall provide to States, Tribal organizations, any notice of funding availability, for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (c).

(i) REQUIREMENTS.—Not later than 15 days after receiving the grant, the State, Indian tribe, or tribal organization shall provide assurances that meet the requirements of subsection (f).

(j) FEDERAL RESERVATION; ALLOTMENTS AND PAYMENTS.—The term ‘federal reservation; allotments and payments’ means the process for allocation of funds under this section, the Secretary shall provide to States, Tribal organizations, any notice of funding availability, for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (c).

(k) REQUIREMENTS.—Not later than 15 days after receiving the grant, the State, Indian tribe, or tribal organization shall provide assurances that meet the requirements of subsection (f).

(l) FEDERAL RESERVATION; ALLOTMENTS AND PAYMENTS.—The term ‘federal reservation; allotments and payments’ means the process for allocation of funds under this section, the Secretary shall provide to States, Tribal organizations, any notice of funding availability, for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (c).

(m) REQUIREMENTS.—Not later than 15 days after receiving the grant, the State, Indian tribe, or tribal organization shall provide assurances that meet the requirements of subsection (f).

(n) FEDERAL RESERVATION; ALLOTMENTS AND PAYMENTS.—The term ‘federal reservation; allotments and payments’ means the process for allocation of funds under this section, the Secretary shall provide to States, Tribal organizations, any notice of funding availability, for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (c).

(o) REQUIREMENTS.—Not later than 15 days after receiving the grant, the State, Indian tribe, or tribal organization shall provide assurances that meet the requirements of subsection (f).

(p) FEDERAL RESERVATION; ALLOTMENTS AND PAYMENTS.—The term ‘federal reservation; allotments and payments’ means the process for allocation of funds under this section, the Secretary shall provide to States, Tribal organizations, any notice of funding availability, for Back to Work Child Care grants under subsection (c) from allotments and payments under subsection (c).

(q) REQUIREMENTS.—Not later than 15 days after receiving the grant, the State, Indian tribe, or tribal organization shall provide assurances that meet the requirements of subsection (f).
(B) agree to follow all applicable State, local, and tribal health and safety requirements and, if applicable, enhanced protocols for child care services and related to COVID-19 or another health or safety condition; and

(C) agree to comply with the documentation and reporting requirements under subsection (h); and

(2) certify in good faith that the child care program of the provider will remain open for not less than 1 year after receiving such a subgrant, unless such program is closed due to extraordinary circumstances, including for a state of emergency declared by the Governor or a major disaster or emergency declared by the President through the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191);

(3) make eligible child care providers in urban, suburban, and rural areas readily available for and access funding under this section, which shall include the provision of technical assistance either directly or through resource and referral agencies or staffed family child care provider networks; and

(4) ensure that subgrant funds are made available to qualified child care providers without regard to whether the eligible child care provider is providing services for which assistance is made available under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.) at the time of application for a subgrant;

(5) through at least December 31, 2020, continue to operate a subgrant funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.) for the purposes of providing child care services, including the costs of payroll, employee benefits, mortgage or rent, utilities, and insurance, described in subparagraph (g)(4); and

(6) ensure the maintenance of a delivery system of child care services throughout the State that provides for child care in a variety of settings, including the settings of family child care providers.

(g) Obligation of funds.—

(1) in general.—A lead agency that receives a Back to Work Child Care grant under this section—

(A) shall use a portion that is not less than 94 percent of the grant funds to award subgrants to qualified child care providers as described in the lead agency's assurances pursuant to subsection (f); and

(B) shall reserve not more than 6 percent of the funds to—

(i) use not less than 1 percent of the funds to provide technical assistance to providers in applying for and accessing funding through such subgrants to eligible child care providers, including to rural providers, family child care providers, and providers with limited administrative capacity; and

(ii) use the remainder of the reserved funds to—

(I) administer subgrants to qualified child care providers under paragraph (4), which shall include monitoring the compliance of qualified child care providers with applicable State, local, and tribal health and safety requirements; and

(II) comply with the reporting and documentation requirements described in subsection (h); and

(C)(i) shall not make more than 1 subgrant under paragraph (4) to a child care provider, except as described in clause (ii); and

(ii) may make multiple subgrants to a qualified child care provider, if the lead agency makes each subgrant individually for not more than 6 months after the date of enactment of this Act, does not exceed the limits specified in clause (i), and the provider and the funds from the multiple subgrants are not pooled for use for more than 1 of the fiscal years.
(III) make subgrant installments to any qualified child care provider for a period of not more than 9 months; and
(ii) the lead agency may, notwithstanding subparagraph (A), disburse an initial subgrant installment to a provider in a greater amount than that subparagraph provides for, and adjust the succeeding installments as appropriate.
(E) SUBGRANT INSTALLMENT AMOUNT.—The lead agency—
(1) shall determine the amount of a subgrant installment under this paragraph by basing the amount on—
(aa) at a minimum, the fixed costs associated with the provision of child care services by a qualified child care provider; and
(bb) at the election of the lead agency, an additional amount determined by the State, for the purposes of assisting qualified child care providers with, as applicable, increased operating costs and lost revenue, associated with the COVID–19 public health emergency;
and
(II) any other methodology that the lead agency determines to be appropriate, and which is disclosed in reporting submitted by the lead agency under subsection (f)(6)(B).
(ii) shall ensure that, for any period for which subgrant funds are disbursed under this paragraph, no qualified child care provider receives a subgrant installment that was added to current revenue for that period exceeds the revenue for the corresponding period 1 year prior; and
(iii) increased operating capacity due to updated group size limits and staff-to-child ratios, in determining subgrant installment amounts.
(F) REPAYMENT OF SUBGRANT FUNDS.—A qualified child care provider that receives a subgrant under this paragraph shall be required to repay subgrant funds that the lead agency determines that the provider fails to provide the assurances described in subparagraph (C)(ii), or to comply with such an assurance.
(5) SUPPLEMENT NOT SUPPLANT.—Amounts made available to carry out this section shall be used to supplement and not supplant other Federal, State, tribal, and local public funds expended to provide child care services, including funds provided under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.) and State and tribal child care programs.
(h) DOCUMENTATION AND REPORTING REQUIREMENTS.
(1) DOCUMENTATION.—A State, Indian tribe, or tribal organization receiving a grant under subsection (c) shall provide documentation to the State or tribal expenditure reconciliation report submitted under section 658K(b) of the Child Care Development Block Grant Act of 1990 (42 U.S.C. 9858(b)), and to the independent entity described in that section.
(2) REPORTS.—
(A) AGENCY REPORT.—A lead agency receiving a grant under subsection (c) shall, not later than 12 months after receiving such grant, submit a report to the Secretary that includes the State or tribal community involved a description of the program of subgrants carried out to meet the objectives of this section, including—
(I) a description of how the lead agency determined—
(aa) setting;
(bb) average monthly revenues, enrollment, and attendance, before and during the COVID–19 public health emergency and after the expiration of State, local, and tribal stay-at-home orders; and
(cc) geographically based child care service needs across the State or tribal community; and
(ii) the number of eligible child care providers in operation and serving children on March 1, 2020, and the average number of slots for March 2020 and each of the 11 months following, disaggregated by age of children served, geography, region, center-based child care setting, and family child care setting;
(iii) the number of child care slots, in the capacity of a qualified child care provider given applicable group size limits and staff-to-child ratios, that were open for attendance of children on March 1, 2020, the average number of such slots for March 2020 and each of 11 months following, disaggregated by age of children served, geography, region, center-based child care setting, and family child care setting;
(iv) the number of qualified child care providers the subgrant under subsection (g)(4), disaggregated by age of children served, geography, region, center-based child care setting, and family child care setting, and range of the amounts of the subgrants awarded; and
(ii) the percentage of all eligible child care providers that are qualified child care providers that received such a subgrant, disaggregated as described in clause (I); and
(v) information concerning how qualified child care providers receiving subgrants under subsection (g)(4) used the subgrant funding received, disaggregated by the allowable uses of funds described in subsection (g)(4)(B).
(B) REPORT TO CONGRESS.—Not later than 90 days after receiving the lead agency reports required under subparagraph (A), the Secretary shall make publicly available and provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report summarizing the findings of the lead agency reports.
(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the activities under this section.
(ii) EXCLUSION.—For purposes of the Internal Revenue Code of 1986, gross income shall not include any amount received by a qualified child care provider under this section.
TITLE VII—PANDEMIC PREPARATION AND STRATEGIC STOCKPILE
SEC. 7001. SUSTAINED ON-SHORE MANUFACTURING CAPACITY FOR PUBLIC HEALTH EMERGENCIES.
(a) IN GENERAL.—Section 319L of the Public Health Service Act (42 U.S.C. 247d–7e) is amended—
(1) in subsection (a)(6)(B)—
(A) by redesigning clauses (iv) and (v) as clauses (v) and (vi), respectively;
(B) by inserting after clause (iii), the following:
(iv) activities to support domestic manufacturing surge capacity of products or platform technologies, including manufacturing capacity and capabilities to utilize platform technologies to provide for flexible manufacturing initiatives; and
(v) in clause (vi) (as so redesignated), by inserting “manufacturing,” after “improve-ments,”; and
(2) in subsection (b)—
(A) in the first sentence of paragraph (1), by inserting “support for domestic manufactur-ing surge capacity,” after “‘initiatives for innovation,”; and
(B) by redesigning paragraph (2)—
(i) in subparagraph (B), by striking “and” at the end;
(ii) by redesigning subparagraph (C) as subparagraph (D); and
(iii) by inserting after subparagraph (B), the following:
(C) activities to support manufacturing surge capacities and capabilities to increase the availability of existing medical countermeasures and utilize existing novel platform technologies or new medical countermeasures to meet manufacturing demands to address threats that pose a significant level of risk to national security; and
(D) in subsection (c)—
(A) in paragraph (2)—
(i) in subparagraph (C), by striking “and” at the end;
(ii) in subparagraph (D), by striking the period and inserting “; and”; and
(iii) by adding at the end the following:
(E) promoting domestic manufacturing surge capacity and capabilities for countermeasure advanced research and development, including facilitating contracts to support flexible or surge manufacturing;
(F) in paragraph (4)—
(i) in subparagraph (B)—
(I) in clause (iii), by striking “and” at the end;
(II) in clause (iv), by striking the period and inserting “; and”; and
(iii) by adding at the end the following:
(IV) support and maintain domestic manufactur-ing surge capacity and capabilities, including through contracts to support flexible or surge manufacturing, to ensure that additional production of potential countermeasures is available in the event that the Secretary determines there is such a need for additional production;“;
(ii) in subparagraph (D)—
(I) in clause (ii), by striking “and” at the end;
(II) by redesigning clause (iii) as clause (iv); and
(iii) by inserting after clause (ii) (the following:
the Secretary shall be provided with an addi-tional 60 business days to comply with infor-mation requests for the disclosure of infor-mation under section 552 of title 5, United States Code, related to the activities under this section (unless such activities are other-wise exempt under subparagraph (A));”;
and
(3) in subsection (e)—
(A) by redesigning subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively; and
(B) by inserting after subparagraph (A), the following:
(B) TEMPORARY FLEXIBILITY.—During a public health emergency under section 319, the Secretary shall be provided with an addi-tional 60 business days to comply with infor-mation requests for the disclosure of infor-mation under section 552 of title 5, United States Code, related to the activities under this section (unless such activities are other-wise exempt under subparagraph (A));”;
and
(5) in subsection (f)—
(A) in paragraph (1), by striking “Not later than 180 days after the date of enactment of this subsection” and inserting “Not later than 180 days after the date of enactment of this subsection”;
and
(B) by redesigning paragraph (2)—
(I) in subparagraph (D), by striking “and” at the end;
(B) in paragraph (2), by striking “Not later than 1 year after the date of enactment of this subsection” and inserting “Not later than 1 year after the date of enactment of the Defend Our Children, Families, Schools and Small Businesses Act”.

(3) MEDICAL COUNTERMEASURE INNOVATION PARTNER.—The restrictions under section 202 of division A of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), or any other law imposing a restriction on salaries of individuals related to a previous appropriation to the Department of Health and Human Services, shall not apply to salaries paid pursuant to an agreement under the medical countermeasure innovation partner program under section 405 of the Pandemic and All-Hazards Preparedness and Healthcare系统的 Response Act (42 U.S.C. 247d–7d(a)(3)(E)).

SEC. 7002. IMPROVING AND SUSTAINING STATE MEDICAL STOCKPILES.

Section 319F–1 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended by adding at the end the following:

“(1) IMPROVING AND MAINTAINING STATE MEDICAL STOCKPILES.—

“(A) IN GENERAL.—The Secretary may, upon the request of a State, waive the requirement under clause (i) in whole or in part if the Secretary determines that extraordinary economic conditions in the State in the fiscal year involved or in the previous fiscal year justify the waiver.

“(B) APPLICABILITY OF WAIVER.—A waiver provided by the Secretary under this subparagraph shall apply only to the fiscal year involved.

“(2) STOCKPLING ACTIVITIES AND REQUIREMENTS.—A recipient of an award under paragraph (1), an entity with the opportunity to correct such noncompliance shall be subject to paragraph (3).

“(A) Maintaining a stockpile of appropriate drugs, vaccines and other biological products, medical devices, and diagnostic tests to be used during a public health emergency declared by the Governor of a State or by the Secretary under section 319, or a major disaster or emergency declared by the President under section 501 or 501, specifically, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, in support of the State stockpile and a description of the activities such entity will carry out under the agreement, consistent with the requirements of paragraph (3).

“(B) LIMITATION.—The Secretary may make an award under this subsection to not more than one eligible entity in each State.

“(C) AWARD SUPPLIES AND SERVICES.—

“(i) AWARD SUPPLIES AND SERVICES.—Any award made under this subsection shall supplement, not supplant, the reserve amounts of medical supplies procured by and for the Strategic National Stockpile and the description of the activities such entity will carry out under the agreement, consistent with the requirements of paragraph (3).

“(D) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of amounts received by an eligible entity under this section may be used for administrative expenses.

“(E) CLARIFICATION.—An eligible entity receiving an award under this subsection may assign a lead entity to manage the State stockpile, which may be a recipient of an award under section 319C–1(b).

“(1) IN GENERAL.—Subject to clause (ii), the Secretary may not make an award under this subsection unless the applicant agrees, with respect to the costs to be incurred by the applicant in carrying out the purpose describes in this subsection, to make available non-Federal funds toward such costs in an amount equal to—

“(I) for each of fiscal years 2023 and 2024, not less than $1 for each $10 of Federal funds provided in the award;

“(II) for each of fiscal years 2025 and 2026, not less than $1 for each $5 of Federal funds provided in the award; and

“(III) for fiscal year 2027 and each fiscal year thereafter, not less than $1 for each $3 of Federal funds provided in the award.

“(1) WAIVER.—

“(A) IN GENERAL.—The Secretary may, upon the request of a State, waive the requirement under clause (i) in whole or in part if the Secretary determines that extraordinary economic conditions in the State in the fiscal year involved or in the previous fiscal year justify the waiver.

“(B) APPLICABILITY OF WAIVER.—A waiver provided by the Secretary under this subparagraph shall apply only to the fiscal year involved.

“(C) REVIEWING AND REVISING, AS APPROPRIATE.—

“(1) STATE PLAN COORDINATION.—The eligible entity may submit a State stockpile plan to the Secretary under subsection (c), unless the eligible entity determines appropriate and applicable.

“(2) IN GENERAL.—To be eligible to receive an award under paragraph (1), an entity shall—

“(i) be a State or consortium of States that is a recipient of an award under section 319C–1(b); and

“(ii) prepare, in consultation with appropriate Federal, State, and local officials within the State or consortium of States, and submit to the Secretary an application that contains such information as the Secretary determines necessary, including such information relevant to the State stockpile and a description of the activities such entity will carry out under the agreement, consistent with the requirements of paragraph (3).

“(b) PRIORITIES.—

“(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response, shall award grants, contracts, or grants awarded under this subsection to enable eligible entities to maintain a stockpile of appropriate drugs, vaccines and other biological products, medical devices, and diagnostic tests to be used during a public health emergency declared by the Governor of a State or by the Secretary under section 319, or a major disaster or emergency declared by the President under section 501 or 501, specifically, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, in support of the State stockpile and a description of the activities such entity will carry out under the agreement, consistent with the requirements of paragraph (3).

“(c) THEN, the amount authorized to be appropriated $1,000,000,000 for each of fiscal years 2023, 2024, and 2025, and $1,000,000,000 for each of fiscal years 2026 through 2028, to remain available until expended.”

(4) STATE PLAN COORDINATION.—The eligible entity under this subsection shall ensure appropriate coordination of the State stockpile plan developed pursuant to paragraph (2) with the plans required pursuant to section 319C–1.

(5) GUIDANCE FOR STATES.—Not later than 180 days after the date of enactment of this subsection, the Secretary, acting through the Assistant Secretary for Preparedness and Response, shall issue guidance for States related to maintaining and replenishing a stockpile of medical products. The Secretary shall update such guidance as appropriate.

(6) ASSISTANCE TO STATES.—The Secretary shall provide assistance to States, including technical assistance, as appropriate, to maintain and improve State and local public health preparedness capabilities to distribute and dispense medical products from a State stockpile.

(7) COORDINATION WITH THE STRATEGIC NATIONAL STOCKPILE.—Each recipient of an award under this subsection shall ensure that the State stockpile plan developed pursuant to paragraph (2)(A)(ii) contains such information as the Secretary may require related to current inventory of supplies maintained pursuant to paragraph (3), and any plans to replenish such supplies, or procure non-Federal alternative supplies. The Secretary shall use information obtained from State stockpile plans to inform the maintenance and management of the Strategic National Stockpile pursuant to subsection (a).

(8) PERFORMANCE AND RESPONSIBILITY.—

“(A) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response, shall develop and implement a process to notify entities that are determined by the Secretary to have failed to meet the requirements of the terms of an award under this subsection. Such process shall provide entities with the opportunity to correct such noncompliance. An entity that fails to correct such noncompliance shall be subject to subparagraph (C).

“(B) WITHHOLDING OF CERTAIN AMOUNTS FROM ENTITIES THAT FAIL TO ACHIEVE HIGHER MANDATORY LEVELS OF PERFORMANCE OF THE STATE STOCKPILE PLAN.—Beginning with fiscal year 2022, and in each succeeding fiscal year, the Secretary shall withhold from each entity that has failed substantially to meet the terms of an award under this subsection for at least 1 of the 2 immediately preceding fiscal years (beginning with fiscal year 2022), the amount allocated for administrative expenses described in paragraph (2)(D).

“(9) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated $300,000,000 for each of fiscal years 2021 through 2028, to remain available until expended.”

(September 8, 2020 CONGRESSIONAL RECORD — SENATE S5467)
SEC. 7003. STRENGTHENING THE STRATEGIC NATIONAL STOCKPILE.

Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–3) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by adding “and the contracts issued under paragraph (5)” after “paragraph (1)”;

(B) in paragraph (3)(F), by striking “Secretary of Homeland Security” and inserting “Secretary of Health and Human Services, in coordination with or at the request of the, Secretary of Homeland Security.”;

(C) by redesignating paragraph (5) as paragraph (6); and

(D) by inserting after paragraph (4) the following:

“(5) SUGGEST CAPACITY.—The Secretary, in maintaining the stockpile under paragraph (1) and carrying out procedures under paragraph (3), may—

(A) enter into contracts or cooperative agreements with vendors for procurement, distribution, maintenance, and storage of reserve amounts of drugs, vaccines and other biological products, medical devices, and other medical supplies (including personal protective equipment, ancillary medical supplies, and other applicable supplies required for the administration of drugs, vaccines and other biological products, medical devices, and other medical supplies); and

(B) maintain a domestic manufacturing capacity of such products to ensure that such products are available, and that such products are provided in a timely manner, to be delivered to the ownership of the Federal Government under the contract, which may consider costs of shipping, or otherwise transporting, handling, storage, and related costs for such product or products; and

(ii) maintain domestic manufacturing capacity of such products to ensure additional production capacity of such products is available, and that such products are provided in a timely manner, to be delivered to the ownership of the Federal Government under the contract and deployed in the event that the Secretary determines that there is a need to quickly purchase additional quantities of such product; and

(B) in subparagraph as the Secretary may specify, including for purposes of—

(i) maintenance and storage of reserve amounts of products intended to be delivered to the ownership of the Federal Government under the contract, which may consider costs of shipping, or otherwise transporting, handling, storage, and related costs for such product or products; and

(ii) maintenance of domestic manufacturing capacity of such products to ensure additional production capacity of such products is available, and that such products are provided in a timely manner, to be delivered to the ownership of the Federal Government under the contract and deployed in the event that the Secretary determines that there is a need to quickly purchase additional quantities of such product; and

SEC. 8001. EXTENSION OF PERIOD TO USE INTERNAL REVENUE CODE OF 1986.

Section 62(f) of the Internal Revenue Code of 1986 is amended by striking “(d)(1)” and inserting “(d)(1)”.

(2) APPLICABLE AMOUNT.—Paragraph (1) of section 62(f) of the Internal Revenue Code of 1986 is amended by striking “(d)(1)” and inserting “(d)(1)”.

(3) PERIOD TO DEFINE.—Section 62(f)(2)(B) of such Code is amended by striking “(d)(1)” and inserting “(d)(1)”.

(4) PENALTY FOR UNDERPAYMENTS ATTRIBUTABLE TO OVERSTATED DEDUCTION.—

(1) IN GENERAL.—Section 6662(b)(1) of the Internal Revenue Code of 1986 is amended by inserting after paragraph (8) the following:

“(9) Any overstatement of qualified charitable contributions as defined in section 6662(c).

(2) INCREASED PENALTY.—Section 6662(b) of such Code is amended by adding at the end the following:

“(1) INCREASE IN PENALTY IN CASE OF OVERSTATEMENT OF QUALIFIED CHARITABLE CONTRIBUTIONS.—In the case of any portion of an overstatement of a qualified charitable contribution to one or more overstatements of a qualified charitable contribution as defined in section 6662(c), subsection (a) shall be applied with respect to such portion by substituting ‘75 percent’ for ‘50 percent’.

(3) EXCEPTION TO APPROVAL OF ASSESSMENT.—Section 6662(c)(8)(B) is amended by striking “or 6655s” and inserting “or 6655”.

(4) EFFICIENCY OF AMENDMENTS.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

TITLE X—CRITICAL MINERALS

SEC. 10001. MINERAL SECURITY.

(a) DEFINITIONS.—In this section:

(1) BYPRODUCT.—The term “byproduct” means a critical mineral—

(A) the recovery of which depends on the production of a host mineral that is not designated as a critical mineral; and

(B) that exists in sufficient quantities to be recovered during processing or refining.

(2) CRITICAL MINERAL.—The term “critical mineral” means any mineral, element, substance, or material designated as critical by the Secretary under section 3168(c) of the National Defense Authorization Act for Fiscal Year 2021.

(b) REQUIREMENTS.—Section 601(d)(3) of the Social Security Act (42 U.S.C. 1396a(d)(3)) is amended by striking “(b) the United States Virgin Islands” and inserting “(b) As used in this Act, the term ‘ and inserting the following:

“(b) DEFINITIONS.—In this Act:

“(1) CRITICAL MINERAL.—The term ‘critical mineral’ means any mineral, element, substance, or material designated as critical by the Secretary under section 3168(c) of the National Defense Authorization Act for Fiscal Year 2021.

“(2) MATERIALS.—The term ‘materials’ means—

“(c) CRITICAL MINERAL DESIGNATIONS.—

(1) DRAFT METHODOLOGY.—The Secretary, acting through the Director of the United States Geological Survey (referred to in this subsection as the “Secretary”), shall publish in the Federal Register for public comment—

(A) a description of the draft methodology used to identify a draft list of critical minerals;

(B) a draft list of minerals, elements, substances, and materials that qualify as critical minerals; and

(C) a draft list of critical minerals recovered as byproducts.

(2) AVAILABILITY OF DATA.—If available data is insufficient to provide a quantitative basis for the methodology developed under this subsection, qualitative evidence may be used to the extent necessary.

(3) FINAL METHODOLOGY AND LIST.—After reviewing public comments on the draft methodology and the draft lists published under paragraph (1) and updating the methodology and lists as appropriate, not later than 45 days after the close of the public comment period with respect to the draft methodology and draft lists closes, the Secretary shall publish in the Federal Register—

(A) a description of the final methodology for determining which minerals, elements,
substances, and materials qualify as critical minerals; and
(B) the final list of critical minerals; and
(C) the final list of critical minerals recovered and designated as critical.

(4) DESIGNATIONS.—
(A) IN GENERAL.—For purposes of carrying out this subsection, the Secretary shall maintain a list of critical minerals, elements, substances, and materials designated as critical, pursuant to the final methodology published under paragraph (3), that the Secretary determines—
(i) are essential to the economic or national security of the United States;
(ii) of which is vulnerable to disruption (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, trade protectionist behavior, and other risks throughout the supply chain); and
(iii) serve an essential function in the manufacturing of a product (including energy technology, defense, currency, agriculture, consumer electronics, and health care-related applications), the absence of which would cause a significant consequence for the economic or national security of the United States.
(B) INCLUSIONS.—Notwithstanding the criteria for designation under paragraph (3), the Secretary may designate and include on the list any mineral, element, substance, or material determined by another Federal agency to be strategic as determined by the defense or national security of the United States.
(C) REQUIRED CONSULTATION.—The Secretary shall consult with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative in designating minerals, elements, substances, and materials as critical under this paragraph.

(5) SUBSEQUENT REVIEW.—
(A) IN GENERAL.—The Secretary, in consultation with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative, shall review the methodology and list published under paragraph (3) and the designations under paragraph (4) at least every 3 years, or more frequently as the Secretary considers to be appropriate.
(B) REVISIONS.—Subject to paragraph (4)(A), the Secretary may—
(i) revise the methodology described in this subsection; and
(ii) designate additional minerals, elements, substances, or materials as critical minerals.

(6) REPORT.—On finalization of the methodology and the list under paragraph (3), or any revision to the methodology or list under paragraph (5), the Secretary shall submit to Congress a written notice of the action.

(4) DESIGNATIONS.—
(A) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, shall complete a comprehensive national assessment of each critical mineral that—
(i) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories; and
(ii) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.
(B) REQUIRED REPORT.—Not later than 1 year after the date of enactment of this Act and ending on the date of completion of all of the assessments required under this subsection, the Secretary shall submit to Congress on an annual basis an interim report that—
(i) identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments; or
(ii) describes the progress of the assessments if the Secretary does not sequence the assessments.

(6) UPDATES.—The Secretary may periodically update the assessments conducted under this subsection based on—
(A) the generation of new information or datasets by the Federal Government; or
(B) the receipt of new information or datasets from critical mineral producers, State geological surveys, academic institutions, or other persons.

(7) ADDITIONAL SURVEYS.—The Secretary shall complete a resource assessment for each additional mineral or element subsequently designated as a critical mineral under subsection (c)(5)(B) not later than 2 years after the designation of the mineral or element.

(8) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that—
(A) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;
(B) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal employees and State and local government involvement) associated with the development and processing of applications, operating plans, permits, and other use authorizations for critical mineral-related activities on Federal land;
(C) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metrics in paragraph (4); and
(D) describes actions carried out pursuant to paragraph (2).
(g) Recycling, Efficiency, and Alternatives.—

(1) Establishment.—The Secretary of Energy (referred to in this subsection as the "Secretary") shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(2) Annual Reports.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under paragraph (4), and annually thereafter, the Secretary shall submit to Congress a report that—

(A) summarizes the implementation of recommendations, measures, and options identified in subparagraphs (A) and (B) of paragraph (3);

(B) using the performance metric under paragraph (4), describes progress made by the executive branch, as compared to the baseline established pursuant to paragraph (3)(C), on expediting the permitting of activities that will increase exploration for, and development of, critical minerals; and

(C) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(3) Individual Projects.—Using data from the Secretary generated under paragraph (5), the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(4) Report of Small Business Administration.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies with respect to—

(A) complying with chapter 6 of title 5, United States Code (commonly known as the "Regulatory Flexibility Act"), in promulgating regulations applicable to the critical minerals industry; and

(B) performing an analysis of regulations applied by the critical minerals industry that may be outdated, inefficient, duplicative, or excessively burdensome.

(f) Federal Register Process.—

(1) Departmental Review.—Absent any extraordinary or emergency circumstances, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each Federal Register notice described in paragraph (2) shall be—

(A) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and

(B) published in the form in the Federal Register not later than 45 days after the date of initial preparation of the notice.

(2) Preparation.—The preparation of Federal Register notices required by law associated with the issuance of a critical mineral exploration or mine permit shall be delegated to the organizational level within the agency responsible for issuing the critical mineral exploration or mine permit.

(3) Transmission.—All Federal Register notices regarding official document availability, summaries of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable, the—

(A) documents or meetings are held; or

(B) activity is initiated.

(1) Spokane, Washington, 99202.

(2) Seaside, Oregon, 97138.

(3) Butte, Montana, 59701.

(4) Performance Metric.—Not later than 90 days after the date of submission of the report under paragraph (3), the Secretaries, after providing public notice and an opportunity for public comment, shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(5) Annual Reports.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under paragraph (4), and annually thereafter, the Secretaries shall submit to Congress a report that—

(A) summarizes the implementation of recommendations, measures, and options identified in subparagraphs (A) and (B) of paragraph (3);

(B) using the performance metric under paragraph (4), describes progress made by the executive branch, as compared to the base-
the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1804(f)), that—
(A) the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;
(B) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or tabular form that does not allow the identification of the person or firm who supplied particular information; and
(C) procedures are established to require the destruction of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information.
(i) EDUCATION AND WORKFORCE.—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor (in consultation with the Secretary, the Director of the Science Foundation, institutions of higher education with substantial expertise in mining, institutions of higher education with significant expertise in minerals engineering, and other persons) shall submit to the Congress an assessment of the domestic availability of technically trained personnel necessary for critical mineral exploration, development, assessment, production, manufacturing, research, analysis, forecasting, education, and research, including an analysis of—
(A) skills that are in the shortest supply as of the date of the assessment;
(B) skills that are projected to be in short supply in the future;
(C) the demographics of the critical minerals industry and how the demographics will evolve under the influence of factors such as an aging workforce;
(D) the effectiveness of training and education programs in addressing skills shortages;
(E) opportunities to hire locally for new positions in the critical minerals sector; and
(F) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1802); and
(G) the potential need for new training programs to have a measurable effect on the supply of technically trained workers in the critical minerals industry.
(2) CURRICULUM STUDY.—
(A) In general.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—
(i) startup costs for newly designated faculty positions for the critical mineral education, research, innovation, training, and workforce development programs consistent with paragraph (2)(B)(i) and (ii);
(ii) internships, fellowships, and fellowships for students enrolled in programs related to critical minerals;
(iii) equipment necessary for integrated critical mineral education, research, training, and workforce development programs; and
(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.
(B) RENEWAL.—A grant under this paragraph shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under paragraph (2A)(4)(v).
(3) PROGRAM.—
(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—
(i) startup costs for newly designated faculty positions for the critical mineral education, research, innovation, training, and workforce development programs consistent with paragraph (2)(B)(i) and (ii);
(ii) internships, fellowships, and fellowships for students enrolled in programs related to critical minerals;
(iii) equipment necessary for integrated critical mineral education, research, training, and workforce development programs; and
(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.
(3) PROGRAM.—
(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—
(i) startup costs for newly designated faculty positions for the critical mineral education, research, innovation, training, and workforce development programs consistent with paragraph (2)(B)(i) and (ii);
(ii) internships, fellowships, and fellowships for students enrolled in programs related to critical minerals;
(iii) equipment necessary for integrated critical mineral education, research, training, and workforce development programs; and
(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.
(B) RENEWAL.—A grant under this paragraph shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under paragraph (2A)(4)(v).
(J) NATIONAL GEOLOGICAL AND GEOPHYSICAL DATA PRESERVATION PROGRAM.—Section 351(k) of the Energy Policy Act of 2005 (42 U.S.C. 15908(k)) is amended by striking ‘‘$5,000,000 for each of fiscal years 2021 through 2030’’ and inserting ‘‘$5,000,000 for each of fiscal years 2021 through 2030’’.
(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2030.

TITLES XI—MISCELLANEOUS PROVISIONS

TITLE XI—MISCELLANEOUS PROVISIONS

SEC. 11001. EMERGENCY DESIGNATION.
(a) IN GENERAL.—Nothing in this division or any amendment provided by this division and the amendments made by this division are designated as an emergency requirement pursuant to section 4(g) of the PAY-AS-YOU-GO ACT OF 2010 (2 U.S.C. 933(g)).
(b) DESIGNATION IN SENATE.—In the Senate, this division and the amendments made by this division are designated as an emergency requirement pursuant to section 412(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

DEFENSE RESPONSE ADDITIONAL SUPPLEMENTAL APPROPRIATIONS ACT, 2020

For an additional amount for ‘‘Payments to States for the Child Care and Development Block Grant’’ for fiscal year ending September 30, 2020, to remain available through September 30, 2021, to prevent, prepare for, and respond to

TITLES I

DEPARTMENT OF HEALTH AND HUMAN SERVICES

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For an additional amount for ‘‘Payments to States for the Child Care and Development Block Grant’’ for fiscal year ending September 30, 2020, to remain available through September 30, 2021, to prevent, prepare for, and respond to
For an additional amount for “Public Health and Social Services Emergency Fund”, $16,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the development of necessary countermeasures and vaccines, prioritizing platform-based technologies with U.S.-based manufacturing capabilities, such as vaccines, therapeutics, diagnostics, necessary medical supplies, as well as medical surge capacity, addressing blood supply chain, workforce modernization, and supply chain and infrastructure, initial advanced manufacturing, novel dispensing, enhancements to the U.S. Commissioned Corps, and other preparedness and mitigation efforts; that funds appropriated under this paragraph in this Act may be used to develop and demonstrate innovations to manufacturing platforms to support such capabilities; Provided further, That the Secretary of Health and Human Services shall purchase vaccines developed using funds made available under this paragraph in this Act to respond to an outbreak or pandemic related to coronavirus in quantities determined by the Secretaries of Commerce and Health and Human Services, at prices that are affordable to the public health need; Provided further, That products purchased with funds appropriated under this paragraph in this Act shall be acquired under the Federal Acquisition Regulation, where such regulations allow for expedited procurements or contract awards and shall not be subject to the Biomedical Advanced Research and Development Authority for necessary expenses of the Secretary in carrying out the previous proviso, the Secretary may make additional purchases of products purchased with funds appropriated under this paragraph in this Act, including vaccines, therapeutics, and diagnostics developed from funds provided in this paragraph in this Act; Provided further, That the Secretary shall determine that such contracts are necessary to secure sufficient amounts of products purchased with funds appropriated under this paragraph in this Act, including vaccines, therapeutics, and diagnostics, and medical supplies where the Secretary determines that such a contract is necessary to secure sufficient amounts of such supplies: Provided further, That the not later than 30 days after enactment of this Act, and every 30 days thereafter until funds are expended, the Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate on uses of funding for Operation Warp Speed, detailed current obligations by Department or Agency, or component thereof broken out by the coronavirus supplemental appropriations Act that provided the source of funds: Provided further, That the plans outlined in the previous proviso may be altered by contract, grant, or other transaction in excess of $20,000,000,000, with a notation of which Department or Agency, and component thereof is managing the contract: Provided further, That such amounts appropriated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
tests for both active infection and prior exposure, including molecular, antigen, and serological tests, the manufacturing, procurement, and distribution of tests, testing equipment, reagents, and supplies, including personal protective equipment needed for administering tests, the development and validation of rapid, molecular point-of-care tests, and support for the state epidemiology, to scale up academic, commercial, public health, and hospital laboratories, to conduct surveillance and contact tracing, support for the national response to COVID–19 plans, and other related activities related to COVID–19 testing: Provided, That the amount made available under this provision in this Act, not less than $15,000,000,000 shall be for States, localities, territories, tribes, tribal organizations, urban Indian health organizations, health care facilities, other entities engaged in COVID–19 testing, and other related activities related to COVID–19 testing, contact tracing, surveillance, containment, and mitigation, including support for workforce, epidemiology, use by employers, elementary and secondary schools, child care facilities, institutions of higher education, long-term care facilities, or in other settings, scale up of testing, health, academic, commercial, and hospital laboratories, and community-based testing sites, health care facilities, and other entities engaged in COVID–19 testing, and other related activities related to COVID–19 testing, contact tracing, surveillance, containment, and mitigation; Provided further, That the amount made available under this provision in this Act shall be made available within 30 days of the date of enactment of this Act: Provided further, That the amount identified in the first proviso under this paragraph in this Act shall be allocated to States, localities, and territories according to the percentage of the funding thresholds outlined in the paragraph as the "Secretary") may satisfy the funding thresholds outlined in the first proviso under this paragraph in this Act by making awards through other grant or cooperative agreement mechanisms: Provided further, That the Secretary designee of each State, locality, territory, tribe, or tribal organization receiving funds pursuant to this Act shall update their plans, as approved by the Secretary, to ensure contact tracing submitted to the Secretary pursuant to the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–189), and such updates to the Secretary not later than 60 days after funds appropriated in this paragraph in this Act have been awarded to such recipient: Provided further, That not later than 15 days after enactment, and every quarter thereafter until funds are expended, the Governor or designee of each State, locality, territory, tribe, or tribal organization receiving funds shall report to the Secretary on use of funding, detailing certain commitments and obligations broken out by the coronavirus supplemental appropriations Act that provided the source of funds: Provided further, That not later than 15 days after receipt of such reports, the Secretary shall summarize and report to Congress on Appropriations of the House of Representatives and the Senate on States’ commitments and obligations of funding: Provided further, That funds an entity uses determines that the Secretary not later than 60 days after funds are made available under section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

EDUCATION STABILIZATION FUND

SEC. 101. (a) ALLOCATIONS.—From the amount made available under this heading in this Act to carry out the Education Stabilization Fund, the Secretary shall first allocate—

(1) not more than one-half of 1 percent to the outlying areas on the basis of the terms and conditions for funding provided under this heading in the Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law 116–186); and

(2) one-half of 1 percent for the Secretary of the Interior for programs operated or funded by the Bureau of Indian Education, under the terms and conditions established for funding provided under this heading in the CARES Act (Public Law 116–186).

(b) RESERVATIONS.—After carrying out subsection (a), the Secretary shall reserve the remaining funds made available as follows:

(1) 5 percent to carry out section 102 of this title.

(2) 67 percent to carry out section 103 of this title.

(3) 28 percent to carry out section 104 of this title.

GOVERNOR’S EMERGENCY EDUCATION RELIEF FUND

SEC. 102. (a) GRANTS.—From funds reserved under section 101(b)(1) of this title, the Secretary shall make supplemental Emergency Education Relief grants to the Governor of each State with an approved application under section 18003 of division B of the CARES Act (Public Law 116–186). The Secretary shall award funds under this section to each State educational agency with an approved application within 15 calendar days of enactment of this Act.

(b) ALLOCATIONS TO STATES.—The amount of each grant under subsection (a) shall be allocated by the Secretary to each State in the same proportion as each State received under part A of title I of the ESEA of 1965 in the most recent fiscal year.

(c) SUBGRANTS.—From the payment provided by the Secretary under subsection (b), each State educational agency shall provide services and assistance to local educational agencies and non-public schools, consistent with the provisions of this title. After carrying out the reservations of funds under this Act, each State shall allocate not less than 90 percent of the remaining grant funds awarded to the State under this section as subgrants to local educational agencies (including charter schools that are local educational agencies) in the State in proportion to the amount of funds such local educational agencies and non-public schools received under part A of title I of the ESEA of 1965 in the most recent fiscal year. The State educational agency shall make such subgrants to local educational agencies as follows—

(1) one-third of funds shall be awarded not less than 15 calendar days after receiving an award from the Secretary under this section; and

(2) the remaining two-thirds of funds shall be awarded only after the local educational agencies that received a grant under this section submit evidence to the Governor that the Governor approves a comprehensive school reopening plan for the 2020–2021 school-year, based on criteria determined by the Governor in consultation with the Secretary, that the Governor determines have been most significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services their students and to support the on-going functionality of the local educational agency; and

(3) provide emergency support through grants to institutions of higher education serving students within the State that the Governor determines have been most significantly impacted by coronavirus to support the ability of such institutions to continue to provide educational services and support the on-going functionality of the institution; and

(4) provide support to any other institution of higher education, local educational agency, or public library designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EFFECTIVE DATE

SEC. 103. (a) Grants funded under this section shall be awarded not later than 6 months after the date of enactment of this Act.

(b) The Secretary shall report to the Governor of each State with an approved application under section 18002 of division B of the CARES Act (Public Law 116–186). The Secretary shall award grants to local educational agencies that the Secretary determines have been most significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services to their students and to support the on-going functionality of the local educational agency; and

(c)Notwithstanding anything in this Act to the contrary, the Secretary shall reallocate such funds to the remaining States in accordance with subsection (b).

ECONOMIC RELIEF FUND

SEC. 104. (a) GRANTS.—From funds reserved under section 101(b)(2) of this title, the Secretary shall make supplemental elementary and secondary school emergency relief grants to each State educational agency with an approved application under section 18003 of division B of the CARES Act (Public Law 116–136). The Secretary shall award funds under this section to each State educational agency with an approved application within 15 calendar days of enactment of this Act.

(b) ALLOCATIONS TO STATES.—The amount of each grant under subsection (a) shall be allocated by the Secretary to each State in the same proportion as each State received under part A of title I of the ESEA of 1965 in the most recent fiscal year.

(c) SUBGRANTS.—From the payment provided by the Secretary under subsection (b), each State educational agency shall make supplemental emergency relief grants to local educational agencies (including charter schools that are local educational agencies) in the State in proportion to the amount of funds such local educational agencies received under part A of title I of the ESEA of 1965 in the most recent fiscal year. The State educational agency shall make such subgrants to local educational agencies as follows—

(1) one-third of funds shall be awarded not less than 15 calendar days after receiving an award from the Secretary under this section; and

(2) the remaining two-thirds of funds shall be awarded only after the local educational agencies that received a grant under this section submit evidence to the Governor that the Governor approves a comprehensive school reopening plan for the 2020–2021 school-year, based on criteria determined by the Governor in consultation with the Secretary, that the Governor determines have been most significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services their students and to support the on-going functionality of the institution; and

(3) provide emergency support through grants to institutions of higher education serving students within the State that the Governor determines have been most significantly impacted by coronavirus to support the ability of such institutions to continue to provide educational services and support the on-going functionality of the institution; and

(4) provide support to any other institution of higher education, local educational agency, or public library designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

EDUCATION STABILIZATION FUND

For an additional amount for “Education Stabilization Fund”, $105,000,000,000, to remain available through September 30, 2021, to provide emergency support through grants to local educational agencies that the Secretary deems essential for carrying out emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONGRESSIONAL RECORD — SENATE S5743

September 8, 2020

testament to the unexpected and rapid nature of the crisis and the need for immediate action to support the Nation’s education system, especially as it relates to serving our Nation’s most vulnerable students.

As the Nation begins to reopen schools, ensuring that every student has access to educational services, particularly for at-risk groups, is critical.

...
through (C)), that describes how the local educational agency will safely reopen schools with the physical presence of students, consistent with maintaining safe and continuous operations aligned with challenging state academic standards. The Governor shall approve such plans within 30 days after the plan is submitted, subject to the requirements in subparagraphs (A) through (C).

(A) A local educational agency that provides in-person instruction for at least 50 percent of its students where the students physically attend school no less than 50 percent of each school-week, as it was defined by the local educational agency prior to the coronavirus emergency, shall have its plan automatically approved.

(B) A local educational agency that does not provide in-person instruction to at least some students where the students physically attend school in-person shall not be eligible to receive a subgrant under paragraph (2).

(C) A local educational agency that provides in-person instruction to at least some students where the students physically attend school in-person but does not satisfy the requirements in subparagraph (A) shall have its plan reviewed and approved on a case-by-case basis as determined by the Governor.

(d) PLAN CONTENTS.—A school reopening plan submitted to a Governor under subsection (b) or (c) of this section shall include, in addition to any other information necessary to meet the criteria determined by the Governor—

(1) A detailed timeline for when the local educational agency will provide in-person instruction, including the goals and criteria used for providing full-time in-person instruction to all students;

(2) A description of how many days of in-person instruction per calendar week the local educational agency plans to offer to students during the 2020-2021 school year; and

(3) An assurance that the local educational agency will offer students as much in-person instruction as is safe and practicable, consistent with maintaining safe and continuous operations aligned with challenging state academic standards.

(e) USES OF FUNDS

(1) A local educational agency or non-public school that receives funds under subsection (c)(1) or section 105 may use funds for any of the following:

(A) Provide in-person instruction, including purchasing personal protective equipment, implementing flexible schedules to keep children in isolated groups, purchasing box lunches so that children can eat in their classroom, purchasing physical barriers, providing additional transportation services, repurposing existing school rooms and space, and improving ventilation systems.

(B) Developing and implementing procedures and systems to improve the preparedness and continuity of local educational agencies or non-public schools including coordination with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

(C) Providing principals and other school leaders with the resources necessary to address the needs of their individual schools directly related to coronavirus.

(D) Providing additional services to address the needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

(E) Training and professional development for staff of the local educational agency or non-public school on sanitation and minimizing the spread of infectious diseases.

(F) Purchasing supplies to sanitize, clean, and disinfect the facilities of a local educational agency or non-public school, including buildings operated by such agency.

(G) Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency or non-public school that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.

(H) Expanding healthcare and other health services (including mental health services and supports) including for children at risk of abuse or neglect.

(I) Planning and implementing activities related to student learning and supplemental afterschool programs, including providing classroom instruction during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(2) A local educational agency that receives funds under subsection (c)(2) may use the funds for activities to carry out a comprehensive school reopening plan as described in this section, including—

(A) Purchasing personal protective equipment, implementing flexible schedules to keep children in isolated groups, purchasing box lunches so that children can eat in their classroom, purchasing physical barriers, providing additional transportation services, repurposing existing school rooms and space, and improving ventilation systems.

(B) Planning for and coordinating during long-term closures, including for how to provide technology for online learning to all students, including high-quality public charter schools, public schools operated by granting entities, and non-public schools including charter schools and other entities that the Secretary determines appropriate.

(C) Purchasing technology for online learning to all students, including high-quality public charter schools, public schools operated by granting entities, and non-public schools including charter schools and other entities that the Secretary determines appropriate.

(D) Providing additional services to address the needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

(E) Training and professional development for staff of the local educational agency or non-public school on sanitation and minimizing the spread of infectious diseases.

(F) Purchasing supplies to sanitize, clean, and disinfect the facilities of a local educational agency or non-public school, including buildings operated by such agency.

(G) Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency or non-public school that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.

(H) Expanding healthcare and other health services (including mental health services and supports) including for children at risk of abuse or neglect.

(I) Planning and implementing activities related to student learning and supplemental afterschool programs, including providing classroom instruction during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(J) Planning and implementing activities related to student learning and supplemental afterschool programs, including providing classroom instruction online during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(C) ASSURANCES.—A State, State educational agency, or local educational agency receiving funding under this section shall provide assurances, as applicable, that:

(1) The State, State educational agency, or local educational agency will maintain and expand access to high-quality schools, including high-quality public charter schools, and will—

(A) Enact policies to close or prevent the expansion of such schools to address revenue shortfalls that result in the disproportionate denial of educational opportunities to charter schools that are otherwise meeting the terms of their charter for academic achievement;

(B) Disproportionally reduce funding to charter schools or otherwise increase funding gaps between charter schools and other public schools in the local educational agency.

(2) Allocations of funding and services provided from funds provided in this section to public charter schools are made on the same terms and conditions as used for all public schools consistent with state law and in consultation with charter school leaders.

(d) REPORT.—A State receiving funds under this section shall submit a report to the Secretary, not later than 6 months after receiving funding provided in this Act, in such manner and with such assurances as the Secretary may require, that provides a detailed accounting of the use of funds provided under this section.

(e) RULE OF CONSTRUCTION.—In this section, the term "Secretary" shall be construed to mean the Secretary of Education.

(1) The receipt of any funds authorized or appropriated under this section, including pursuant to section 106 of this Act, by a non-profit entity, or by any individual who has been admitted or applied for admission to such entity (or any parent or guardian of such individual), shall not be construed to result in any Federal financial assistance for any purpose, nor shall any such person or entity be required to make any alteration to its existing programs, activities, or facilities, or to conform to Federal financial assistance except as required under this section.

(2) No State participating in any program under this section, including pursuant to section 106 of this Act, by a non-profit entity, or by any individual who has been admitted or applied for admission to such entity (or any parent or guardian of such individual), shall not be construed to result in any Federal financial assistance for any purpose, nor shall any such person or entity be required to make any alteration to its existing programs, activities, or facilities, or to conform to Federal financial assistance except as required under this section.
a consequence or condition of its receipt of such funds.

(3) No State participating in any program under this section shall authorize any person or entity that receives funds authorized under this section to spend funds under such State's financial assistance program in any such manner or conditions that would improperly limit the recipient's ability to otherwise spend such funds.

SEC. 104. (a) IN GENERAL.—From funds reserved under section 102(c) of the Higher Education Act, the Secretary shall allot funds to eligible institutions of higher education under this section in accordance with the following formula:

$$\text{Amount allotted to an institution} = \frac{\text{Number of Pell Grant recipients}}{\text{Total number of students enrolled}} \times \text{Funds available}$$

(b) DISTRIBUTION.—The funds made available under this section shall be distributed by the Secretary using the following formula:

(i) 70 percent according to a ratio equivalent to the total enrollment of Federal Pell Grant recipients at an institution of higher education designated by the Secretary proportionally to such programs authorized under part B of title III and subpart 4 of part A of title VII of the Higher Education Act, the Assistance to Minority Serving Institutions Act of 1994, the Robert T. Real Estate Revitalization Act of 1995, the Higher Education Act, and the Assistance to Small Institutions Act of 1994; (ii) 10 percent according to the relative number of Pell Grant recipients at all such institutions for fiscal year preceding the beginning of the fiscal year for which the funds are awarded; (iii) 20 percent according to the relative number of Federal Pell Grant recipients at each eligible institution for the fiscal year preceding the beginning of the fiscal year for which the funds are awarded; (iv) 5 percent for grants to institutions of higher education that the Secretary determines, through an application process and after allocating funds under paragraphs (i), (ii), and (iii), will have the greatest unmet needs related to coronavirus. In awarding funds to institutions of higher education under this paragraph the Secretary shall prioritize institutions of higher education—

(A) described under title I of the Higher Education Act who are not eligible to receive an award under section 104(a)(1) of this title, including institutions described in section 102(b) of the Higher Education Act of 1965; and

(B) that otherwise demonstrate significant need related to coronavirus that were not addressed by funding allocated under subsection (a) and (b).

(c) USES OF FUNDS.—An institution of higher education receiving funds under this section may use the funds received to—

(A) defray expenses associated with coronavirus (including lost revenue, reimbursement for expenses already incurred, and technology costs associated with a transition to distance education, faculty and staff trainings, and payroll); and

(B) provide financial aid grants to students (including students exclusively enrolled in distance education) that are needed for any component of the student's cost of attendance or for emergency costs that arise due to coronavirus.

(d) SPECIAL PROVISIONS.—

(1) A historically Black college and university or a Minority Serving Institution may use the funds received under this section to award grants for emergency expenses incurred as a consequence or condition of its receipt of the funds.

(2) An institution of higher education receiving funds under section 10004 of division B of the CARES Act (Public Law 116–94) and distributed to eligible institutions of higher education, except as otherwise provided in subparagraphs (A)–(D), on the basis of the formula described in section 104(a)(1) of this title.

(3) Except as otherwise provided in subsection (b), for eligible institutions under part B of title III and part B of title VII of the Higher Education Act, the Secretary shall allot such aid an amount using the following formula:

$$\text{Amount allotted to an institution} = \frac{\text{Number of Pell Grant recipients}}{\text{Total number of students enrolled}} \times \text{Funds available}$$

(i) 85 percent according to a ratio equivalent to the number of Pell Grant recipients at each such institution; (ii) 10 percent according to the relative number of Pell Grant recipients at all such institutions for the fiscal year preceding the beginning of that fiscal year; (iii) 5 percent for grants to institutions of higher education that the Secretary determines, through an application process and after allocating funds under paragraphs (i), (ii), and (v), will have the greatest unmet needs related to coronavirus. In awarding funds to institutions of higher education under this section on the basis of a formula described in subsection (a)(1) or (a)(2) for which an institution does not apply for funding within 60 days of the publication of the notice inviting applications, shall be reallocated to eligible institutions that had submitted an application by such date.

SEC. 105. (a) FUNDS AVAILABILITY.—From the payment provided by the Secretary under section 103 of this title to a State educational agency, the State educational agency shall reserve an amount of funds equal to the percentage of students enrolled in nonpublic elementary and secondary schools in the State prior to the coronavirus emergency. Upon reserving funds under this section, the Governor of the State may award grants to eligible scholarship-granting organizations for carrying out section 6001 of division A of this Act; and

(b) (1) A non-public school that provides in-person instruction to at least 50 percent of its students where the students physically attend school prior to the coronavirus emergency, shall be eligible for the full amount of assistance per student as prescribed under this section.

(2) A non-public school that does not provide in-person instruction to any students where the students physically attend school prior to the coronavirus emergency shall be eligible for one-third of the amount of assistance per student as prescribed under this section.

(c) A Governor shall allocate not less than 50 percent of the funds reserved in this section to non-public schools or eligible scholarship-granting organizations within 30 days of receiving an award from the Secretary and the remaining 50 percent not less than 4 months after receiving an award from the Secretary.

SEC. 106. A local educational agency, State, institution of higher education, or other entity that receives funds under “Education Stabilization Fund” of this Act is subject to the requirements in subsection (a)(1) of section 122 of the Higher Education Act of 1965.

DEFINITIONS

SEC. 107. Except as otherwise provided in sections 101–106 of this title, as used in such sections the term “elementary education” and “secondary education” have the meaning given such terms under State law;
(2) the term “institution of higher education” has the meaning given such term in title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

(3) the term “the Secretary” means the Secretary of Education;

(4) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

(5) the term “cost of attendance” has the meaning given such term in section 472 of the Higher Education Act of 1965.

(6) the term “public school” means a non-public elementary and secondary school that (A) is accredited, licensed, or otherwise operates in accordance with State law; and (B) was in existence prior to the date on which the Secretary determines that a qualifying emergency for which grants are awarded under this section;

(7) the term “public school” means a public elementary or secondary school, and

(8) any other term used that is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) shall have the meaning given the term in such section.

GENERAL PROVISION—THIS TITLE

SEC. 108. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and associated costs, to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That such plans shall be updated and submitted to such Committees every 60 days until September 30, 2024: Provided further, That the spend plans shall be accompanied by a listing of each contract obligation incurred in excess of $100,000 which has not previously been reported, including the amount of each such obligation.

TITLE II

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

OFFICE OF THE SECRETARY

For an additional amount for the “Office of the Secretary”, $20,000,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus by providing support to farmers, producers, processors, and aquaculture firms, the seafood supply chain, and charter fishing businesses: Provided, That the amounts otherwise appropriated for fiscal year 2020 shall be available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. Each amount designated in this Act, the additional amounts appropriated by this Act to appropriations accounted for in this Act, and the amounts otherwise appropriated for the fiscal year involved.

SEC. 403. Unless otherwise provided for by this Act, the amounts otherwise appropriated for the fiscal year involved.

SEC. 404. Each amount designated in this Act, the additional amounts appropriated by this Act to appropriations accounted for in this Act, and the amounts otherwise appropriated for the fiscal year involved.

BUDGETARY EFFECTS

SEC. 407. (a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

JON CHRISTOPHER KREITEL, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE SHON J. AVHERSTON, RESIGNED.

MATTHEW B. SHEPLEY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE VERONICA DAKELY, RESIGNED.

DEPARTMENT OF STATE

ANDREW JOHN LAWLOR, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF STATE FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS, VICE DEBORAH J. CHYSE, RESIGNED.

RYAN MICHAEL TULLY, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE FOR ECONOMIC AND BUSINESS AFFAIRS, VICE GRETCHEN J. THURSTON, RESIGNED.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

ZACHARY F. MAINES, OF OHIO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2023, VICE INGRID A. GREGG, TERM EXPIRED.

BENJAMIN JOEL BEATON, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY, VICE ANDREW J. MANASCO, RESIGNED.

Hector Gonzalez, of New York, to be United States District Judge for the Eastern District of New York, VICE WALTER R. THOMAS, RESIGNED.

Ryan Thomas McAllister, of New York, to be United States District Judge for the United States District Court for the Northern District of New York, VICE Gary L. Sharpe, Retired.

Kathryn Kimball Mizelle, of Florida, to be United States District Judge for the United States District Court for the Middle District of Florida, Vice Virginia Maria Hernandez Covington, Retired.

With respect to the District of Columbia, to be a Judge of the United States Court of Federal Claims for a Term of fifteen years, Vice Thomas Craig Wheeler, Term Expired.
DAVID CARRY WOLL, JR., OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE DORA L. HIZARRY, RETIRED.

IN THE NAVY


To be vice admiral

LISA M. FRANCHETTI

WITHDRAWALS

Executive Message transmitted by the President to the Senate on September 8, 2020 withdrawing from further Senate consideration the following nominations:


WILLIAM PERRY PENDLEY, OF WYOMING, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT, VICE NEIL GREGORY KORNER, WHICH WAS SENT TO THE SENATE ON JUNE 30, 2020.
SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Wednesday, September 9, 2020 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED
SEPTEMBER 10
10 a.m. Committee on the Judiciary
Business meeting to consider the nominations of J. Philip Calabrese, and James Ray Knepp II, both to be a United States District Judge for the Northern District of Ohio, Aileen Mercedes Cannon, to be United States District Judge for the Southern District of Florida, Toby Crouse, to be United States District Judge for the District of Kansas, and Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio.

SEPTEMBER 15
10 a.m. Committee on Health, Education, Labor, and Pensions
To hold hearings to examine compensating college athletes, focusing on the potential impact on athletes and institutions.

2:30 p.m. Committee on the Judiciary Sub委员会 on Antitrust, Competition Policy and Consumer Rights
To hold hearings to examine whether Google harmed competition in online advertising.

SEPTEMBER 16
2:30 p.m. Committee on the Judiciary Sub委员会 on Intellectual Property
To hold hearings to examine whether the reforms to Section 1201 are needed and warranted.

SEPTEMBER 17
9:30 a.m. Committee on Armed Services
To hold hearings to examine matters relating to the budget of the National Nuclear Security Administration.

1 p.m. Commission on Security and Cooperation in Europe
To hold hearings to examine Albania’s chairmanship of the Organization for Security and Co-operation in Europe.

WEBCAST
SEPTEMBER 23
9:15 a.m. Committee on Armed Services
Sub委员会 on Readiness and Management Support
To hold hearings to examine Navy and Marine Corps readiness.

10 a.m. Committee on Health, Education, Labor, and Pensions
To hold hearings to examine COVID-19, focusing on an update on the federal response.

2:30 p.m. Committee on the Judiciary Sub委员会 on Intellectual Property
To hold hearings to examine threats to American intellectual property, focusing on cyber attacks and counterfeits during the COVID-19 pandemic.

OCTOBER 1
9:15 a.m. Committee on Armed Services
Sub委员会 on Readiness and Management Support
To hold hearings to examine supply chain integrity.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
HIGHLIGHTS
See Résumé of Congressional Activity.

Senate

Chamber Action
Routine Proceedings, pages S5429–S5477

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 4531–4541, and S. Res. 684. Pages S5441–42

Measures Reported:
S. 481, to encourage States to require the installation of residential carbon monoxide detectors in homes, with an amendment in the nature of a substitute. (S. Rept. No. 116–261)
S. 2800, to authorize programs of the National Aeronautics and Space Administration, with an amendment in the nature of a substitute. (S. Rept. No. 116–262)
S. 2898, to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers. (S. Rept. No. 116–263)

House Messages:
Uyghur Human Rights Policy Act: Senate resumed consideration of the amendment of the House of Representatives to S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China, taking action on the following motion and amendment proposed thereto:

Pending:
McConnell Motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2652, in the nature of a substitute. Page S5433

A motion was entered to close further debate on the motion to concur in the amendment of the House to the bill with McConnell Amendment No. 2652 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, September 10, 2020. Page S5433

During consideration of this measure today, Senate also took the following action:
McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2499, in the nature of a substitute, was withdrawn. Page S5433

Prior to the consideration of this motion, Senate took the following action:
Senate agreed to the motion to proceed to Legislative Session. Page S5433

Ludwig Nomination—Agreement: Senate resumed consideration of the nomination of Brett H. Ludwig, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin. Pages S5430–33, S5433–36

During consideration of this nomination today, Senate also took the following action:
By 83 yeas to 6 nays (Vote No. EX. 158), Senate agreed to the motion to close further debate on the nomination. Page S5436

A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, the vote on confirmation of the nomination of Brett H. Ludwig occur at 11:15 a.m., on Wednesday, September 9, 2020; provided further that if cloture is invoked on the nomination of Christy Criswell Wiegand, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, Senate then vote on the motion to invoke cloture on the nomination of Hala Y. Jarbou, of Michigan, to be United States District Judge for the Western District of Michigan, and that if cloture is invoked on the nomination of Hala Y. Jarbou, the post-cloture time with respect to the nomination expire at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, on Thursday, September 10, 2020; provided further that at 2:15 p.m., on Wednesday, September 9, 2020, Senate vote on confirmation of the nomination of Christy Criswell Wiegand, and that following disposition of the Wiegand nomination, Senate vote on
the motions to invoke cloture on the nominations of Thomas T. Cullen, of Virginia, to be United States District Judge for the Western District of Virginia, and Diane Gujarati, of New York, to be United States District Judge for the Eastern District of New York, in the order listed.

A unanimous-consent agreement was reached providing for further consideration of the nomination of Brett H. Ludwig, post-cloture, at approximately 10 a.m., on Wednesday, September 9, 2020.

Nominations Received: Senate received the following nominations:

Jon Christopher Kreitz, of Virginia, to be an Assistant Secretary of the Air Force.
Matthew B. Shipley, of Virginia, to be an Assistant Secretary of Defense.
Andrew John Lawler, of California, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.
Ryan Michael Tully, of New York, to be an Assistant Secretary of State (Verification and Compliance).
Zachary T. Haines, of Ohio, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2023.
Benjamin Joel Beaton, of Kentucky, to be United States District Judge for the Western District of Kentucky.
Hector Gonzalez, of New York, to be United States District Judge for the Eastern District of New York.
Ryan Thomas McAllister, of New York, to be United States District Judge for the Northern District of New York.
Kathryn Kimball Mizelle, of Florida, to be United States District Judge for the Middle District of Florida.
Zachary N. Somers, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.
David Carey Woll, Jr., of New York, to be United States District Judge for the Eastern District of New York.

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Jennifer Yue Barber, of Kentucky, to be the Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, which was sent to the Senate on January 6, 2020.

Jennifer Yue Barber, of Kentucky, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations, which was sent to the Senate on January 6, 2020.

William Perry Pendley, of Wyoming, to be Director of the Bureau of Land Management, which was sent to the Senate on June 30, 2020.

Messages from the House:

Measures Placed on the Calendar:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Record Votes: One record vote was taken today. (Total—158)

Adjournment: Senate convened at 3 p.m. and adjourned at 6:28 p.m., until 10 a.m. on Wednesday, September 9, 2020. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S5476.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 8181–8195, were introduced.

Additional Cosponsors:

Reports Filed: Reports were filed today as follows:

H.R. 1702, to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on Federal land, and
for other purposes, with amendments (H. Rept. 116–490);
H.R. 2640, to withdraw certain Bureau of Land Management land from mineral development, with an amendment (H. Rept. 116–491);
H.R. 3160, to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes (H. Rept. 116–492);
H.R. 4957, to amend the Indian Child Protection and Family Violence Prevention Act, with an amendment (H. Rept. 116–493);
H.R. 2694, to eliminate discrimination and promote women’s health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition, with an amendment (H. Rept. 116–494, Part 1);
H.R. 2574, to amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, and for other purposes, with an amendment (H. Rept. 116–495, Part 1);
H.R. 2694, to eliminate discrimination and promote women’s health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition, with an amendment (H. Rept. 116–494, Part 1);
H.R. 2307, to amend title 23, United States Code, to provide for grants to public agencies and public-private partnerships for the establishment and improvement of bicycle transport networks and bicycle transit systems, and for other purposes, with an amendment (H. Rept. 116–496);
H.R. 3609, to provide for a program of wind energy research, development, and demonstration, and for other purposes, with an amendment (H. Rept. 116–497).

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 9:30 a.m. and adjourned at 9:33 a.m.

**Committee Meetings**

**HOLDING FINANCIAL REGULATORS ACCOUNTABLE FOR DIVERSITY AND INCLUSION: PERSPECTIVES FROM THE OFFICES OF MINORITY AND WOMEN INCLUSION**

*Committee on Financial Services:* Subcommittee on Diversity and Inclusion held a hearing entitled “Holding Financial Regulators Accountable for Diversity and Inclusion: Perspectives from the Offices of Minority and Women Inclusion”. Testimony was heard from Joyce Cofield, Executive Director, Office of Minority and Women Inclusion, Office of the Comptroller of Currency; Sheila Clark, Director, Office of Minority and Women Inclusion, Board of Governors of the Federal Reserve System; Lacey Dingman, Director, Office of Minority and Women Inclusion, Federal Reserve Bank of New York; Nikita Pearson, Acting Director, Office of Minority and Women Inclusion, Federal Deposit Insurance Corporation; Monica Davy, Director, Office of Minority and Women Inclusion, Department of the Treasury; Pamela Gibbs, Director, Office of Minority and Women Inclusion, Securities and Exchange Commission; Sharron Levine, Director, Office of Minority and Women Inclusion, Federal Housing Finance Agency; and Lora McCray, Director, Office of Minority and Women Inclusion, Consumer Financial Protection Bureau.

**Joint Meetings**

No joint committee meetings were held.

**NEW PUBLIC LAWS**

For last listing of Public Laws, see DAILY DIGEST, p. D732

S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys. Signed on August 14, 2020. (Public Law 116–156)


S. 3637, to amend the Servicemembers Civil Relief Act to extend lease protections for servicemembers under stop movement orders in response to a local, national, or global emergency. Signed on August 14, 2020. (Public Law 116–158)

**COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 9, 2020**

*Committee meetings are open unless otherwise indicated*

**Senate**

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the status of the Federal Reserve emergency lending facilities, 10 a.m., WEBEX.

*Committee on Environment and Public Works:* to hold hearings to examine S. 614, to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife, 10 a.m., SD–106.

*Committee on Foreign Relations:* to receive a closed briefing on Eastern Europe, 11 a.m., SVC–217.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine vaccines, focusing on saving
lives, ensuring confidence, and protecting public health, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of John Gibbs, of Michigan, to be Director of the Office of Personnel Management, and John M. Barger, of California, Christopher Bancroft Burnham, of Connecticut, and Frank Dunlevy, of California, each to be a Member of the Federal Retirement Thrift Investment Board, 3:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the nominations of Benjamin J. Beaton, to be United States District Judge for the Western District of Kentucky, Kristi Haskins Johnson, and Taylor B. McNeel, both to be a United States District Judge for the Southern District of Mississippi, Kathryn Kimball Mizelle, to be a United States District Judge for the Middle District of Florida, and Thompson M. Dietz, to be a Judge of the United States Court of Federal Claims, 10 a.m., SD–226.

Committee on Veterans’ Affairs: to hold hearings to examine S. 785, to improve mental health care provided by the Department of Veterans Affairs, 3:30 p.m., SD–106.

Select Committee on Intelligence: to hold hearings to examine declassification policy and prospects for reform, 3 p.m., SD–G50.

House


Committee on the Judiciary, Full Committee, markup on H.R. 683, the “PRRADA”; H.R. 6196, the “TM Act of 2020”; H.R. 631, for the relief of Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar; H.R. 4225, for the relief of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, Karla Maria Barrera De Bueso, and Ana Lucia Bueso Barrera; H.R. 7146, for the relief of Victoria Galindo Lopez; H.R. 7572, for the relief of Median El-Moustrah; H.R. 8161, the “One-Stop Community Reentry Center Grant Program Act of 2020”; H.R. 5053, the “Justice for Juveniles Act”; and H.R. 8124, to amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes, 12 p.m., Webex.

Committee on Oversight and Reform, Select Subcommittee on the Coronavirus Crisis, hearing entitled “Ensuring a Free, Fair, and Safe Election During the Coronavirus Pandemic”, 1 p.m., Webex.

Committee on Science, Space, and Technology, Subcommittee on Research and Technology, hearing entitled “The Impact of the COVID–19 Crisis on University Research”, 11:30 a.m., Webex.

Committee on Small Business, Full Committee, hearing entitled “Transparency in Small Business Lending”, 1 p.m., Webex.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing entitled “Amtrak’s Response to COVID–19”, 11 a.m., 2167 Rayburn and Webex.

CONGRESSIONAL PROGRAM AHEAD

Week of September 9 through September 11, 2020

Senate Chamber

On Wednesday, Senate will continue consideration of the nomination of Brett H. Ludwig, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin, post-cloture.
At 11:15 a.m., Senate will vote on confirmation of the nomination of Brett H. Ludwig, and on the motions to invoke cloture on the nominations of Christy Criswell Wiegand, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, and Hala Y. Jarbou, of Michigan, to be United States District Judge for the Western District of Michigan.

At 2:15 p.m., Senate will vote on confirmation of the nomination of Christy Criswell Wiegand, and on the motions to invoke cloture on the nominations of Thomas T. Cullen, of Virginia, to be United States District Judge for the Western District of Virginia, and Diane Gujarati, of New York, to be United States District Judge for the Eastern District of New York.

On Thursday, Senate expects to vote on the motion to invoke cloture on the motion to concur in the amendment of the House of Representatives to S. 178, Uyghur Human Rights Policy Act, with McConnell Amendment No. 2652, in the nature of a substitute.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: September 9, to hold hearings to examine the status of the Federal Reserve emergency lending facilities, 10 a.m., WEBEX.

Committee on Environment and Public Works: September 9, to hold hearings to examine S. 614, to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife, 10 a.m., SD–106.

Committee on Foreign Relations: September 9, to receive a closed briefing on Eastern Europe, 11 a.m., SVC–217.

Committee on Health, Education, Labor, and Pensions: September 9, to hold hearings to examine vaccines, focusing on saving lives, ensuring confidence, and protecting public health, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: September 9, to hold hearings to examine the nominations of John Gibbs, of Michigan, to be Director of the Office of Personnel Management, and John M. Barger, of California, Christopher Bancroft Burnham, of Connecticut, and Frank Dunley, of California, each to be a Member of the Federal Retirement Thrift Investment Board, 3:30 p.m., SD–342.

Committee on the Judiciary: September 9, to hold hearings to examine the nominations of Benjamin J. Beaton, to be United States District Judge for the Western District of Kentucky, Kristi Haskins Johnson, and Taylor B. McNeel, both to be a United States District Judge for the Southern District of Mississippi, Kathryn Kimball Mizelle, to be a United States District Judge for the Middle District of Florida, and Thompson M. Dietz, to be a Judge of the United States Court of Federal Claims, 10 a.m., SD–226.

September 10, Full Committee, business meeting to consider the nominations of J. Philip Calabrese, and James Ray Knepp II, both to be a United States District Judge for the Northern District of Ohio, Aileen Mercedes Cannon, to be United States District Judge for the Southern District of Florida, Toby Crouse, to be United States District Judge for the District of Kansas, and Michael Jay Newman, of Ohio, to be United States District Judge for the Southern District of Ohio, 10 a.m., SR–325.

Committee on Veterans’ Affairs: September 9, to hold hearings to examine S. 785, to improve mental health care provided by the Department of Veterans Affairs, 3:30 p.m., SD–106.

Select Committee on Intelligence: September 9, to hold hearings to examine declassification policy and prospects for reform, 3 p.m., SD–G50.

House Committees

Committee on the Budget, September 10, Full Committee, hearing entitled “Machines, Artificial Intelligence, and the Workforce: Recovering and Readying Our Economy for the Future”, 1 p.m., Webex.

Committee on Education and Labor, September 10, Full Committee, business meeting to approve new subcommittee assignments and a subcommittee Ranking Member, 11:30 a.m., Webex.

September 10, Subcommittee on Civil Rights and Human Services, hearing entitled “On the Basis of Sex: Examining the Administration’s Attacks on Gender-Based Protections”, 12:30 p.m., Webex.

Committee on Financial Services, September 10, Full Committee, hearing entitled “The Need for Financial Aid to America’s States and Territories During the Pandemic: Supporting First Responders, Assisting Schools in Their Efforts to Safely Educate, and Preventing Mass Layoffs”, 12 p.m., Webex.


Committee on Natural Resources, September 10, Subcommittee for Indigenous Peoples of the United States, hearing entitled “Examining the Bureau of Indian Education’s School Reopening Guidance During the COVID–19 Pandemic”, 3 p.m., Webex.

Committee on Oversight and Reform, September 10, Full Committee, hearing entitled “Providing the Census Bureau with the Time to Produce a Complete and Accurate Census”, 11 a.m., 2154 Rayburn and Webex.

Committee on Science, Space, and Technology, September 11, Subcommittee on Energy, hearing entitled “Biological Research at the Department of Energy: Leveraging DOE’s Unique Capabilities to Respond to the COVID–19 Pandemic”, 1:30 p.m., Webex.

Committee on Small Business, September 10, Subcommittee on Rural Development, Agriculture, Trade, and Entrepreneurship, hearing entitled “Kick Starting
Entrepreneurship and Main Street Economic Recovery”, 1 p.m., Webex.

*Committee on Veterans’ Affairs,* September 10, Full Committee, business meeting to Reauthorize the Women Veterans’ Task Force, 10 a.m., HVC–210 and Webex.

September 10, Full Committee, hearing on hearing on H.R. 7541, the “VA Zero Suicide Demonstration Project”; H.R. 7504, the “VA Clinical TEAM Culture Act of 2020”; H.R. 7784, the “VA Police Improvement and Accountability Act”; H.R. 7879, the “VA Telehealth Expansion Act”; H.R. 7747, the “VA Solid Start Reporting Act”; H.R. 7888, the “REACH VET Reporting Act”; H.R. 7964, the “Peer Support for Veteran Families Act”; H.R. 3450, to prohibit the Secretary of Veterans Affairs from transmitting certain information to the Department of Justice for use by the national instant criminal background check system; H.R. 3788, the “VA Child Care Protection Act of 2019”; H.R. 3826, the “Veterans 2nd Amendment Protection Act”; H.R. 6092, the “Veteran’s Prostate Cancer Treatment and Research Act”; H.R. 7469, the “Modernizing Veterans’ Healthcare Eligibility Act”; H.R. 8005, the “Veterans Access to Online Treatment Act”; H.R. 8033, the “Access to Suicide Prevention Coordinators Act”; H.R. 8084, the “Lethal Means Safety Training Act”; H.R. 8068, the “American Indian and Alaska Native Veterans Mental Health Act”; H.R. 8149, the “VA Precision Medicine Act”; H.R. 8148, the “VA Data Analytics and Technology Assistance Act”; H.R. 8108, the “VA Serious Mental Illness Act”; H.R. 8144, the “VA Mental Health Staffing Improvement Act”; H.R. 8145, the “VA Mental Health Counseling Act”; H.R. 8130, the “VA Peer Specialists Act”; H.R. 8107, the “VA Emergency Department Safety Planning Act”; H.R. 8147, the “TREAT Act”; legislation on the Veterans’ ACCESS Act; legislation on the Veterans Comprehensive Prevention, Access to Care, and Treatment Act of 2020; legislation on the Ensuring Veterans’ Smooth Transition Act; legislation on the VA Research Technology Act; legislation on the VA High Altitude and Suicide Research Act; legislation on the VA Expanded Care Hours Act; and legislation on the Veterans Burn Pits Exposure Recognition Act of 2020, 10:05 a.m., HVC–210 and Webex.

*Committee on Ways and Means,* September 10, Subcommittee on Trade, hearing entitled “The Caribbean Basin Trade Partnership Act: Considerations for Renewal”, 2 p.m., Webex.

September 11, Subcommittee on Select Revenue Measures, hearing entitled “Consequences of Inaction on COVID Tax Legislation”, 12 p.m., Webex.

*Permanent Select Committee on Intelligence,* September 11, Full Committee, hearing entitled “Assessing the U.S.-Saudi Security and Intelligence Relationship”, 12 p.m., Webex.
Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

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<td>221</td>
<td>320</td>
<td></td>
</tr>
<tr>
<td>Quorum calls</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Yea-and-nay votes</td>
<td>157</td>
<td>147</td>
<td></td>
</tr>
<tr>
<td>Recorded votes</td>
<td></td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Bills vetoed</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Vetoes overridden</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### DISPOSITION OF EXECUTIVE NOMINATIONS

<table>
<thead>
<tr>
<th></th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civilian nominees, totaling 326 (including 87 nominees carried over from the First Session), disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>215</td>
<td></td>
</tr>
<tr>
<td>Withdrawn</td>
<td></td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>Other Civilian nominees, totaling 1,196 (including 1 nominees carried over from the First Session), disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td>1,148</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>48</td>
<td></td>
</tr>
<tr>
<td>Air Force nominees, totaling 4,183, disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td>4,136</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>47</td>
<td></td>
</tr>
<tr>
<td>Army nominees, totaling 5,773 (including 3 nominees carried over from the First Session), disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td>1,863</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Navy nominees, totaling 1,873 (including 2 nominees carried over from the First Session), disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td>1,863</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Marine Corps nominees, totaling 1,447, disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td>1,438</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Space Force nominees, totaling 650, disposed of as follows:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confirmed</td>
<td></td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Unconfirmed</td>
<td></td>
<td>641</td>
<td></td>
</tr>
</tbody>
</table>

*These figures include all measures reported, even if there was no accompanying report. A total of 71 written reports have been filed in the Senate, 115 reports have been filed in the House.
Next Meeting of the SENATE
10 a.m., Wednesday, September 9

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Brett H. Ludwig, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin, post-cloture.

At 11:15 a.m., Senate will vote on confirmation of the nomination of Brett H. Ludwig, and on the motions to invoke cloture on the nominations of Christy Criswell Wiegand, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, and Hala Y. Jarbou, of Michigan, to be United States District Judge for the Western District of Michigan.

At 2:15 p.m., Senate will vote on confirmation of the nomination of Christy Criswell Wiegand, and on the motions to invoke cloture on the nominations of Thomas T. Cullen, of Virginia, to be United States District Judge for the Western District of Virginia, and Diane Gujarati, of New York, to be United States District Judge for the Eastern District of New York.

(Senate will recess following the vote on the motion to invoke cloture on the nomination of Hala Y. Jarbou until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
1 p.m., Friday, September 11

House Chamber

Program for Friday: House will meet in Pro Forma session at 1 p.m.